JOURNAL

OF THE

ADJOURNED SESSION OF THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY,
THE SECOND DAY OF DECEMBER, IN THE YEAR
OF OUR LORD 1867, AND OF THE COMMON-
WEALTH THE SEVENTY-SIXTH.

1869

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JOURNAL

OF

THE SENATE OF KENTUCKY.

TUESDAY, JANUARY 5, 1869.

The Senate, in pursuance of adjournment, met at the State Capitol this day, and, on a call of the roll, the following Senators were present and answered to their names, viz:

Mr. SPEAKER (Johnson),
Jos. M. Alexander,
F. M. Allison,
Robert Boyd,
John B. Bruner,
John B. Clarke,
Lyttleton Cooke,
A. H. Field,
Joseph Gardner,
G. A. C. Holt,
W. H. Payne,
Philip Swigert,
Harrison Thompson,
A. C. Vallandingham,
Ben. J. Webb,
I. C. Winfrey—16.

Hon. E. D. Standeford, successor to the Hon. Boyd Winchester, resigned, appeared, produced a certificate of his election, and having taken the oath required by the Constitution and laws of the State, repaired to his seat.

There being no quorum present, on motion, the Senate adjourned to meet on to-morrow, at 10 o'clock, A. M.

WEDNESDAY, JANUARY 6, 1869.

The Senate convened, and, on a call of the roll, the following Senators were present and answered to their names, viz:

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	John W. F. Parker,
Jos. M. Alexander,	A. H. Field,	W. H. Payne,
F. M. Allison,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	G. A. C. Holt,	A. C. Vallandingham,
Jos. H. Chandler,	O. P. Johnson,	W. L. Vories,
John B. Clarke,	Henry C. Lilly,	Ben. J. Webb,
Lyttleton Cooke,	D. Y. Lyttle,	I. C. Winfrey—29.
A. D. Cosby,	I. T. Martin,	

Mr. Bruner moved the following resolution, viz:

Resolved, That a committee be appointed, whose duty it shall be to inform the House of Representatives that the Senate have met and organized, and that they, in conjunction with a similar committee to be appointed by the House of Representatives, wait upon the Governor, and inform him that the two Houses of the General Assembly of the Commonwealth of Kentucky have met and organized, and that they were now ready to receive any communication he might wish or see fit to make.

Which was adopted.

Whereupon, Messrs. Bruner and Carlisle were appointed said committee.

A message was received from the House of Representatives, announcing that they had met and organized, and that they, on their part, had appointed a committee, to act in conjunction with a similar committee appointed on the part of the Senate, to wait upon the Governor, and inform him that the two Houses of the General Assembly had convened and organized, and that they were now ready to receive any communication he might see fit to make.

After a short time, the committee heretofore appointed returned, and informed the Senate that they had discharged the duties assigned them, and that the Governor informed them that, in a few moments, he would make to them a communication in writing.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution requesting the Governor to return certain bills.

Which was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to return to the House of Representatives, unsigned, a bill, entitled "An act to incorporate the Exchange Bank," and also return to the Senate a bill, entitled "An act to incorporate the Green River Bank."

Mr. Carlisle moved to amend said resolution as follows, viz:

Add to the resolution the following: "Also, an act to incorporate the Eastern Kentucky Coal, Iron, and Railroad Company."

Which was adopted.

The question was then taken on concurring in the adoption of said resolution as amended, and it was decided in the affirmative.

A message in writing was received from the Governor by Mr. Churchill, Secretary of State.

Which was taken up, and read as follows, viz:

Fellow-Citizens of the Senate and House of Representatives:

You return to the Capitol, at the beginning of a new year, to resume and complete your legislative trusts.

I congratulate you that you reassemble under most favorable auspices. The past year has been one of marked prosperity to our common constituency.

Their labor has been crowned with joyous harvests; industry has revived in new and multiplied channels of business; general health has blessed every portion of our Commonwealth; and universal peace prevails throughout all our borders.

Such signal blessings awaken in our hearts renewed expression of grateful praise to Almighty God for his continuing and protecting care, and I invoke you, upon the threshold of your official labors, as a fit prelude to their commencement, to unite with me in fervent supplication to Him for their providential and merciful continuance.

Since your last adjournment, the permanency of American representative government has undergone a new test. The American people have passed safely through their twenty-first quadrennial election of President and Vice President of the United States. The excited and angry discussions which marked, so recently, the conflict of opinion between two great opposing parties of the nation, and the extraordinary exertions made by each in that political struggle for success, have now subsided and passed away! All yield a patriotic and ready assent to the voice of the American people, expressed under the prescribed forms and sanctions of the Constitution, by which two distinguished citizens of the Republic have been called to discharge the high and responsible duties of President and Vice President of the United States for the term of four years from and after the 4th of March next. Although the electoral vote of Kentucky was not cast, at that election, for the President elect, yet I am quite sure I faithfully reflect the voice of her people in saying, that they look to *him now*, not as the President of a *party*, but as the Pres-

ident of the entire country. As such, they will all unite, "as with one heart and one mind," irrespective of the past, in yielding a cordial support to all his official acts and measures having for their object the supremacy of the Constitution of the United States; the restoration and perpetuity of the American Union; "the support of the State governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies;" economy and rigid accountability of all officials in the administration of the government; the supremacy of the civil over the military authority; a sound and stable circulating currency; the sacred preservation of the public faith; friendship, peace, and unrestricted commercial intercourse with all nations —entangling alliances with none; and the constitutional independence of the executive, legislative, and judicial departments from attempted encroachment of one upon the other.

Have we not a right to hope for the fearless vindication of these fundamental principles of civil liberty from the incoming administration? Nay, more—to trust that the successful military leader, in assuming the eventful responsibilities of the high office to which he has been called by his confiding and trusting fellow-countrymen, in the zenith of a boundless personal popularity, rising to the grandeur of a nobler patriotism over party and faction, will win more enduring laurels by saving his country from the perils and disasters that now threaten it.

A few months will test the foundation upon which these anticipations rest. Whatever the result, let the people of Kentucky, unmindful of that partisan aspersion, from within or from without, which would malign their patriotism, still continue nobly to exert themselves for the restoration "to social intercourse, of that harmony and affection, without which liberty, and even life itself, are but dreary things." Let us, above all, never surrender our right to think freely, and to speak and write what we think. Let us test every measure of political action presented for our approval or rejection by the standard of the Constitution. We should reject none offered by those who have differed from us in the past, if it accords with the exactions of that instrument; and we should approve and sanction none, though urged by those who have acted with us, if not fully up to that orthodox test.

The moral, educational, and material interests of the Commonwealth should now command, with singleness of heart, the united and untiring efforts of her people.

FINANCES.

The Reports of the Auditor and Treasurer, which accompany this communication, will acquaint you with the financial condition of the Commonwealth.

The public debt of the Commonwealth on the 10th October, 1867, amounted to	$4,611,199 46
Deducting the bonds consecrated to the School Fund, and not redeemable	1,632,297 46
Leaving the total indebtedness of the Commonwealth subject to payment upon the 10th October, 1867	$2,978,902 00
During the fiscal year ending 10th October, 1868, there was redeemed by the Commissioners of the Sinking Fund, State bonds amounting to	992,008 00
Amount of State debt on 10th October, 1868	$1,986,894 00
Amount of State bonds redeemed from 11th October, 1868, to 31st December, 1868	80,000 00
Leaving the actual amount of State debt proper upon the 31st December, 1868	$1,906,894 00
This indebtedness consists of 6 per cent. bonds due and outstanding	$51,394 00
Five per cent. bonds due and outstanding	16,000 90
Six per cent. bonds not due	1,679,500 00
Five per cent. bonds not due	160,000 00
	$1,906,894 00
The balance in the State Treasury on 10th October, 1867, was	$1,438,493 36
Receipts for the year	682,788 17
Making	$2,121,281 53
Expenditures and disbursements for the year	1,534,081 85
Leaving balance in Treasury on 10th October, 1868	$587,199 68
To this balance should be added the amount loaned by the Sinking Fund to the Revenue Department proper of the Commonwealth, due and unpaid, exclusive of interest	490,849 05
	$1,078,038 73
To this amount must be added, as will appear by the Auditor's Report, the sum of $92,064 35 in the Treasury, belonging to the Sinking Fund, but not transferred	92,064 35
	$1,160,103 08
This balance is entitled to a further credit by the sum of $31,323 90, deposited with Farmers' Bank of Kentucky, for the payment of the interest of the State debt, and not used for that purpose, and becomes a portion of the present available assets of that fund	31,323 90
	$1,191,426 98
If, therefore, the amount loaned by the Sinking Fund Commissioners to the Revenue Department of the State be returned, the balance in the Treasury of cash on hand upon 10th October, 1868, would be $1,191,426 98, which sum, if applied to the extinguishment of the outstanding debt of the Commonwealth, would leave an indebtedness (exclusive of the school bonds) of	$815,267 02

To meet promptly this remnant of indebtedness, we have other resources of the Sinking Fund consisting of bank stocks, railroad stocks, turnpike stocks, the annual rent of the penitentiary, which,

in value and description, were set out so fully in my former message as to require no further enumeration at this time.

I am deeply impressed with the conviction that wisdom and sound policy alike demand the entire extinction of our State indebtedness at the earliest practicable moment.

Many of our bonds are not yet due. Some that have matured have not been presented.

I recommend, however, that the Commissioners of the Sinking Fund be clothed with power and discretion to discharge and pay off any and all bonds that may be offered for redemption, irrespective of their maturity.

I also recommend that power and authority be given to the Sinking Fund Commissioners to dispose of the turnpike and bank stocks belonging to the State, if necessary to pay any of the outstanding State bonds which can be had.

While I am gratified in being able to present so flattering and sound a condition of the financial condition of the State, I feel it my duty to impress upon you the absolute necessity, at an early day, of an entire revision of all laws regulating and governing the assessment and collection of the State revenue. The entire system demands thorough revision and important amendments. No higher duty can devolve upon the representatives of the people. It will require patient investigation, and calm, thorough deliberation. The revenue of a State constitutes that portion of the property of every citizen which he contributes for the enjoyment and governmental protection of the remainder. How, and in what way, these contributions are to be levied, is a problem of the highest importance. An amount of revenue commensurate to the annual necessities of the State in its economical administration of the government, and a uniform and ratably equal tax, sufficient to produce certainly this requisite sum annually, levied upon the justly assessed value of all the property within its limits, constitutes, in my opinion, the true basis of taxation.

Justice and the Constitution alike demand that this taxation should be equal and uniform as far as the same is attainable, both as to the standard of the assessed value of the property subject to tax, as well as the amount of the tax imposed upon such valuation.

Perfect equality is impossible. Proximate uniformity can readily be arrived at.

A reference and examination of your revenue laws will satisfy you that they are sadly deficient in many of the well-established tests of uniform and equal taxation.

Many subjects which should justly contribute their quota to State revenue, owing to defects and uncertainty in your statutes, now escape assessment entirely; while many others are so unequally and imperfectly assessed, as to pay most infinitely small contribution, when compared with taxes exacted upon other property. I am informed that lands in many of the richest and most productive counties of the Commonwealth are assessed at a rate varying from one third to one fifth below their actual cash value, when tested by a specie standard; while poorer lands in other portions of the State, especially in the vicinity of our cities, are assessed at nearly their actual value, when tested by the standard of a paper currency.

This is eminently unjust, and demands prompt correction. There should be a uniform, fixed standard of valuation. The only safe and stable one is to be found in specie rather than paper. How far supervisory boards in each county, to be appointed by the Auditor, clothed with ample power to correct all unequal and partial assessments upon the assessor's list, will remedy this evil, must be determined by you.

Another evil upon this subject, which requires legislation, is the want of punctuality in payment of taxes by the tax-payer. A remedy for it is easily attained. It consists in a statute affixing a penalty, in addition to the assessment, upon default of non-payment on the day, which, by law, the tax becomes due.

The practical operation of such an enactment in exacting punctuality in the payment of taxes, has been successful in many of our sister States, as well as in many of the cities of this Commonwealth.

Such a law has been in force for many years as to the non-payment of the State revenue by sheriffs into the State Treasury.

Its beneficial operation has recently been neutralized, I regret to say, by special legislative acts passed for the benefit of delinquent sheriffs, in which further time is given them to pay into the State Treasury the revenue of their respective counties. They may be styled special legislative indulgences. The period fixed in the general law for the payment of the revenue of the State into the Treasury is virtually repealed, for the benefit of a few designated delinquent sheriffs, in separate private acts, passed by the Legislature for their benefit.

I cannot too strongly impress upon you the impolicy of such legislation. It is partial, mischievous, and unjust. Its direct tendency has been and is to encourage official delinquency and neglect of duty. It is unequal in its operation—it should apply to all sheriffs, or to none, save in extreme cases of accident, civil commotion, or other extraordinary circumstances requiring exception. Litigation and loss already mark such legislative relief from official responsibility.

The official returns in the Auditor's office will show large sums which will be entirely lost from special personal extensions given to sheriffs for the payment of their county revenue.

Nor does the evil stop there.

The danger of such legislation is further apparent in the fact, now patent, that the State is deprived, to the extent of the relief granted, of that much revenue, and which is required for the annual ordinary expenses of the government. Such postponement produces a deficit of revenue. The State must, to the extent of such deficit, either allow just debts to remain unpaid, or borrow money to supply the hiatus caused in its revenue. The loan, if made, is to benefit sheriffs who, through negligence or indulgence, have failed in official duty. During the past year the Commissioners of the Sinking Fund, under special legislative authority, advanced to the revenue department proper, five hundred thousand dollars to supply deficits in its receipts of revenue, caused in a great degree, as the Auditor informs me, by such special legislative relief measures. If it be continued, it must sooner or later be followed by serious financial embarrassment. It must not be forgotten, either, that the resources of the Sinking Fund have been consecrated by constitutional enactment to the payment of the State indebtedness. While State bonds are outstanding, these resources are beyond legislative or Executive control. If special relief continue to be granted to delinquent sheriffs, the demand for such legislation will become more general, and increased loans will be required to be made in the market overt to supply increased delinquencies. Counties which, through punctual, upright sheriffs, paid their taxes once, may have increased assessments imposed upon them to supply deficiencies caused by such unwise and unjust legislation.

I have spoken thus plainly from a stern sense of official duty. My examination into the State finances, as affected by the results of this species of legislation, has impressed me with the conviction that embarrassment and loss must follow its continuance. I am fully

sustained in my views upon this subject by the Auditor and what has taken place.

I commend to your careful consideration the estimated receipts and expenditures for the next fiscal year, contained in the Auditor's Report, and I hope that you will provide the means by sufficient taxation to meet all estimated expenditures, and such extraordinary appropriations which the necessities of the public may induce you to make during your present session.

STATE AGENCY.

Our State Agent at Washington is pressing with energy and zeal our unsettled claims against the General Government. We have received from him since your last adjournment the sum of $106,977 87.

WOLFE ISLAND.

A suit has been pending in the Supreme Court of the United States for several years, between the State of Missouri and this Commonwealth, as to the ownership of Wolfe Island, in the Mississippi river. An appropriation was made, under an act approved 10th March, 1856, for the expenses of this litigation. The late James Harlan, Hon. Reverdy Johnson, and Wm. R. Bradley, were the counsel engaged on the part of this Commonwealth. Mr. Bradley was employed, as I am informed, to take the proof, and Mr. Johnson and Mr. Harlan to attend to the preparation and argument of the cause. Mr. Harlan has been dead for several years, and Mr. Johnson has recently gone abroad in the service of his country. The appropriation made has been entirely exhausted. It will devolve upon you to take such steps and make such further appropriation for the employment of additional counsel, as the importance of the subject may, in your judgment, demand. I have been within the past week notified, by our State Agent, that it will be called on the docket in a few days.

CIVIL RIGHTS BILL.

The Congress of the United States, upon 9th April, 1866, passed an act, entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication."

The asserted jurisdiction by the United States Courts in Kentucky under this statute, and their action thereunder over the people of Kentucky, is becoming seriously oppressive, and tends to create

popular irritation. Citizens in every portion of the Commonwealth are, under the coercive process of these tribunals, brought daily from their distant homes to Louisville, at heavy costs, to answer alleged violations of this statute.

If this enactment be a valid exercise of legislative power by Congress, under the Constitution of the United States, then no one has any just cause of complaint. Its requirements will then be entitled to ready obedience. The act was passed over the veto of the President of the United States. Its validity has been seriously doubted by the most eminent legal minds in our country. It has, however, been adjudged to be constitutional by the Judges of the Circuit and District United States Courts in Kentucky; and their ruling is binding until the same shall have been reversed by the Supreme Court of the United States. The questions involved in its validity are vital to the lives and liberties of our people. But recently, two persons, John Blyew and George Kennard, were arrested and indicted in the Lewis circuit court, of Kentucky, for alleged murders committed by them in Lewis county, upon the 30th August, 1868, a place over which the jurisdiction of the United States did not extend; and while so in custody of a State court, of competent and unquestioned jurisdiction to try them, these two prisoners were, by the coercive process of the Federal court, forcibly taken from the custody and control of State authority, and against its consent, to Louisville, tried in the Federal court there for the commission of the same identical offenses for which they were indicted and held in custody by the State court, found guilty, and sentenced, by the District Court Judge of the United States, to suffer death during the present month, under the jurisdiction conferred upon him by the civil rights bill.

The validity of this act directly involves the integrity of the reserved rights of the States to defend the lives, liberties, and property of their citizens within their own territorial limits, through their own judicial and local tribunals. With all proper respect for the judges who hold to the validity of this act, my own opinion has been always against its constitutionality.

I shall not, however, discuss this question. Impressed, with a deep sense of the importance which its ultimate decision by the Supreme Court of the United States must have upon the vital rights of the people of this Commonwealth, and bound by my oath of office to uphold and defend the rights of Kentucky and her people, I recommend that provision be at once made for carrying

the question, by appeal, to that court, and that the most eminent counsel be employed to defend the rights of this Commonwealth before it.

STATE HOUSE AND PUBLIC GROUNDS.

I again renew the recommendation contained in my last annual message, that prompt action be taken by you for enlarging and reconstructing the present State House by such additions as shall provide appropriate accommodations, within the building, for the General Assembly, the Federal and appellate courts, and the various offices and bureaus attached to the State government.

Such improvements are imperiously demanded by the public interest. The present buildings are wholly insufficient for the transaction of the public business. They are rapidly decaying, and are utterly insecure. Many of them are absolutely unsafe. None of the public offices belonging to the State are fire-proof. The Commonwealth has too great an interest in the preservation of her archives, and the interests of her people are too vitally involved in their preservation, to allow them to remain longer in their present unsafe depositories.

PENITENTIARY.

I herewith submit the annual Report of the Inspectors of the Penitentiary. Its recommendations deserve, and should receive, your favorable consideration. The health of the prison is good, and the comfort of the prisoners is cared for by the present humane and efficient keeper.

In my last annual message I submitted several suggestions in regard to this institution, recommending a proposed change in its discipline, by a classification and separation of the convicts. Time has satisfied me of their correctness, and I am fully satisfied that a wise and enlightened policy demands their adoption.

Upon the 9th day of March, 1863, the penitentiary contained two hundred and forty-seven convicts. Upon the 31st of December, 1868, the number had increased nearly three-fold.

In 1866, the penitentiary contained but three hundred and thirty-six cells. The necessity for further additions to the prison became so self-evident, that the Legislature, during that year, appropriated one hundred and nine thousand and twenty-seven dollars and seventy-nine cents for enlarging the old buildings and the erection of new ones.

The present General Assembly, by an act approved 7th March, 1868, made a further appropriation of twenty-two thousand dollars for still further additions. The Executive was empowered to appoint five commissioners to superintend the disbursement of this last appropriation. I continued the commissioners named in the former act, except I substituted Mr. Edward Hensley for Mr. Gill, and appointed Mr. James W. Tate as an additional commissioner. All the improvements contemplated by these acts are now fully completed. I am gratified to say that they have been well designed, and the work of their construction faithfully executed.

Three hundred and twelve new cells have been built, the hemp factory has been remodeled and enlarged, and a new and commodious hospital, with separate apartments for males and females, has been completed.

During the past year, three hundred and forty-three convicts were received at the prison—a sad but pregnant fact of the rapid increase of crime. Upon 31st December, 1868, the entire number of convicts was six hundred and sixteen.

Such a statement demonstrates, without cavil, that great enlargement of the present grounds and buildings must be soon provided for, or another prison must be erected elsewhere.

I still urge a separation and classification of the convicts, based upon the respective character and degrees of crime.

HOUSE OF REFUGE.

I am impelled, by a personal knowlege of the necessity of such a charity, to urge earnestly upon you the establishment and erection of a House of Refuge. It is only in such an institution that youthful offenders can be properly cared for—punishments suited to their age and offenses be properly administered—and where, under moral government and quasi-parental control, they may become trained to industrial, scientific, and mechanical pursuits and occupations, which, in after years, afford means of ample and respectable support.

Punishment, while looking, primarily, to the prevention of crime, must, in all enlightened and Christian communities, regard, at the same time, the reformation of the offenders. Its administration should secure both of these results, if possible.

Under our present system of prison discipline, where no provision is made for a classification and separation of the convicts, based upon the degree of guilt and character of offenses, reformation in

young offenders would be miraculous. I have myself witnessed, since my sojourn at the Seat of Government, with anguish, juvenile offenders, under fifteen years of age, upon their conviction of some petit larceny—seduced, it might have been, by some old and adroit offender, to take this, their first, step in crime—brought to this dreary abode of crime and degradation, to be ruthlessly consigned to an inhuman fellowship, for months and years, with callous and abandoned profligates in infamy, or the still more hardened adepts in blood.

Again and again has Executive clemency interfered to save children from such utter, hopeless, sheer, absolute ruin; but it does not, cannot reach the evil. The only remedy is in the House of Correction now urged upon you. We know that the sins of the fathers are visited upon the children; but can any system of prison discipline in this nineteenth century be morally right, which excludes every ray of hope and love from our penitentiaries? Nay, more—a system which almost transforms them into charnel-houses, where all alike, irrespective of guilt, age, or sex, beyond the hope of reformation, must share alike the common infamy and hopeless despair of the great first fratricide. Our moral, not less than our representative responsibilities, earnestly forbid it. Enlightened legislation and Gospel Christianity alike promptly demand the appropriation requisite for the founding of this asylum, as the preventative of so great a wrong to youth and innocence. The entire popular heart of Kentucky will approve it.

PUBLIC INSTRUCTION.

The report of the Superintendent of Public Instruction will be laid before you. I commend its suggestions as to its requirements for imparting increased vigor to the system, and for extending its advantages through more effective agencies to every portion of the Commonwealth. All free government rests upon the virtue and education of its people. Knowledge is power. Our common schools, when thoroughly successful, become bulwarks of popular safety.

So deeply fixed is a well-regulated, efficient system of public instruction in the hearts and affections of our people, that no recommendation from me is required to secure a liberal appropriation for its success at the hands of a Legislature composed of their representatives.

AGRICULTURAL AND MECHANICAL COLLEGE.

I beg leave to submit herewith a most interesting report of the Agricultural and Mechanical College of Kentucky, by J. B. Bowman, Esq., the efficient and estimable Regent of the Kentucky University. The interesting operations and success of this institution inaugurates a new era in Kentucky upon the important subject of agricultural and mechanical science, and the distribution of this report among the people of the Commonwealth cannot fail to add to its success.

GEORGE ROGERS CLARKE.

I have recently learned that the ashes of General George Rogers Clarke lie interred in Jefferson county, in this State. No stone marks that consecrated spot, and but a few old men, who must soon pass away, can even now mark the grave which covers his venerated dust. Is it meet and right that the bones of this typical model of a hero and patriot should rest in a spot unknown to the people of Kentucky? His military genius impressed itself upon all that came within its sphere, while his self-sacrificing, memorable, and invaluable services in protecting the whole Western frontier from Indian sacrilege and depredation, have impressed his name with undying lustre upon the page of his country's history. Will not this Commonwealth, that cherishes with such affectionate regard a recollection of his virtues, take charge of his remains and inter them with the others of Kentucky's distinguished dead, sleeping in yonder cemetery, and mark the spot with a monument worthy of his fame? I earnestly recommend it.

GOVERNOR CHARLES S. MOREHEAD.

I am deeply grieved in announcing to you that Charles S. Morehead, late Governor of this Commonwealth, no longer lives.

He died suddenly near Greenville, Mississippi, upon 23d day of December, 1868. His remains, I learn, will probably be brought to the cemetery near Frankfort to sleep beneath the blue grass of his own loved and native Commonwealth, in the bosom of that constituency whom he served so long and loved so well, and who, with stricken hearts, will be true mourners at his grave.

You require no suggestions from me to insure at your hands, such tokens of respect to his memory, which his long, faithful, and distinguished public services in the Federal and State service, alike, so justly demand.

FEEBLE-MINDED INSTITUTE.

It gives me pleasure to commend to your kind consideration, the Institution for the Education of Feeble-minded Children, located near the Capital.

A few weeks since, in company with several friends, I passed a day within the walls of this Institution. An examination which we witnessed of the interesting little inmates was full of touching interest, and awakened sad pathos in the hearts of all who were present. It is wonderful to observe, how children, to whom there seems scarcely to have been granted a wandering ray of intellect, can be taught by patient and persevering instruction. I should be faithless if I did not bear a deserved tribute, which I now gladly do, to the worthy Superintendent, and his most accomplished and efficient assistants, in the persons of the Misses Holding.

This noble charity appeals most touchingly to the sympathy of every heart, and I recommend that additional buildings, as originally contemplated, be added for the accommodation of a larger number of this unfortunate class of our population. The present capacity of the building is by no means adequate to the wants of the State. It occurred to me that there was a serious defect in the heating apparatus of the building, for which a proper appropriation will, no doubt, be made, and which I cordially recommend.

GREEN AND BARREN RIVER IMPROVEMENT.

Upon the 9th April, 1868, I approved the bond of the Green and Barren River Navigation Company, executed by Wm. H. Payne, as president thereof, with Wm. Brown, John V. Sproule, E. B. Seeley, C. G. Smallhouse, C. J. Vanmeter, W. S. Vanmeter, D. R. Haggard, H. C. Murrell, D. C. Turner, O. P. Johnson, and M. D. Hay, as his sureties, in the penalty of five hundred thousand dollars, and upon that day executed and delivered to him a written order for the delivery of the entire improvement to said company, under the act approved 9th March, 1868. Said bond is filed in the archives of my office, and is conditioned according to the requirements of the law under which said transfer was made.

LICKING RIVER.

Under the joint resolution, approved March 9th, 1868, directing me to appoint a commissioner or commissioners to inquire what has become of the property of the State on Licking river, and take proper steps for its recovery, I, upon 17th April, 1868, appointed

Culvin Sanders, of Shelby, and, subsequently, on 30th October last, I added to the commission John W. Leathers, of Kenton. They were directed to report directly to you, and will, no doubt, promptly do so.

LAW AND ORDER.

No official communication has come to me, since your last adjournment, from any county, or its officials, asking aid in the maintenance of the law, or in the suppression of any unlawful combination seeking its overthrow. I have seen and heard, however, through the press and privately, of an occasional violation of law. While, perhaps, no more disturbances occur in Kentucky than in many of the adjoining States, I must invoke our people to seek safety alone in the inviolable majesty and maintenance of law. Let all secret combinations and organizations, if any such exist, having for their object the infliction of punishment without law, whatever the motive, be given up and at once abandoned. Let the courts and juries see to it, that no violation of law goes unpunished. The Constitution and laws are the only ægis of popular safety under our forms of representative free government.

Every organization, or every private individual, who is permitted to trample upon the law with impunity, weakens, to that extent, the cause of self-government. I invite your attention to an examination of the statutes, to see if any further legislation be required to protect life and property from violence.

GEOLOGICAL SURVEY.

I beg leave to offer a few suggestions upon the importance of a completion of the Geological Survey of the State.

This measure was commenced in 1854, and continued, annually, until 1860, when, owing to the death of the director of the survey, and the approach of serious civil disturbances, the appropriations were suspended, and the work discontinued. During the six years this survey was in operation, at a comparatively small expense to the Commonwealth, much valuable information concerning its mineral and agricultural wealth was collected and published in the several reports detailing the progress of the work. A great deal of it, which was collected and prepared, has never been published, in consequence of the suspension of the work.

Sidney S. Lyon, one of the assistants in the late survey, has asked my permission to publish statistical information thus acquired, at his own cost, and for his own benefit; but I had no authority to grant his request. All unpublished memoranda and statistical information

of this survey belong to the Commonwealth, and cannot be published upon private account without legislative assent.

The reports of this survey, which were published, establish the interesting fact of the exceeding richness of the two immense coal fields which give to Kentucky a greater available area of coal of good quality than is contained within the limits of any other State in the world. It proved that Kentucky has a total area of coal-bearing lands of twelve thousand eight hundred and seventy-one square miles, or eight million, two hundred and thirty-six thousand nine hundred and forty acres, being nearly five thousand square miles more than the total coal-bearing area of Great Britain. In this report the thickness and quality of the seams within this coal-bearing area is quite equal to that in the English fields. It follows that in this most important source of wealth we are far richer than Great Britain, where there is raised from the earth two hundred millions of dollars' worth of coal per annum, giving employment to three hundred thousand operatives or more. The rich deposits of iron ores, which accompany the coal, were also shown to be equal, both in amount and quality, to the best beds of similar minerals in any other region.

It is a subject of regret that the survey, though carried far enough to assure us that our Commonwealth, in the most important sources of mineral wealth, is very rich, was not brought to that point where its ascertained results would have been practically useful. The vast amount of valuable data, which was collected and published by the survey, has not been put in a shape to become practically useful in the development of the resources which it showed to exist. Such information is especially needed now, for distribution in cheap shape, at home and abroad. Before the geological survey of any region can give to the miner that guidance, which will enable him to reach, with his works, any given seam of coal, or bed of ore, an accurately prepared map, with the surface of the sheet and the diagramatic sections of the rocks beneath it, so colored, as to indicate the precise nature of the minerals and their distribution beneath its square mile of territory, is required. That such a degree of accuracy is obtainable, has been clearly demonstrated by the surveys of Great Britain, Belgium, France, and other continental States of Europe. The maps and other publications of these surveys, especially of Great Britain (one of which is now in my possession), have proven of in-

calculable value in the rapid development of the resources of those regions, the interior structure of which they have so clearly depicted. Indeed, I am credibly informed, that in the coal-fields of Great Britain, the accurate maps of the geological survey, prepared on a scale of six inches to the mile, are of incalculable value to the miners.

The geological part of the labor, requisite for the preparation and construction of accurate geological maps, is attended with comparatively small cost.

A carefully executed, colored, topographical map of the sections of the State, of which accurate information is desired, is essentially necessary, and imperatively demanded by the most important interests of the State. We possess no such map now. Those previously published, have been based on the most cursory survey of the country represented, and are, in many particulars, inaccurate. The most general features of the surface contour, matter of great importance in the execution of such internal improvements as roads and railways, are not represented. During the progress of the geological survey in Kentucky, much was done toward the preparation of trustworthy maps of the coal-fields of the eastern and western portions of our Commonwealth. This work, though incomplete, remains in such a state, that it could be readily assumed without loss of what has been already done. The need of an accurate topograpical map of the Commonwealth, is so self-evident, whether the survey be resumed or not, that it would hardly seem necessary that I should further urge its importance. Without it, the work already done by the geological survey will lose much of its value, and data, already obtained, but not published, will be entirely lost.

It has occurred to me, that, through your action, we might have the benefit and assistance of the United States Coast Survey and their accomplished engineers in the prompt completion of this work.

I have recently received reliable information, that Professor Pierce, the director of the United States Coast Survey, has recently made his estimates for extending its operations into the valleys of the Ohio and Mississippi, so as to include our western streams, as far as Cincinnati and St. Louis. I am satisfied that an extension of the proposed plan, so as to include Kentucky, would meet the approval of Professor Pierce, and greatly increase the value of the observations and work of the Coast Survey. I am sure a much more accurate mapping of the State can be thus obtained than under the direction of a newly-organized State corps, and we should thus complete our

Geological Survey, and have a new and accurate topographical map of the Commonwealth, at the mere cost of tracing and publishing the maps embodying the work of the United States survey.

When it is remembered, that this map, would be of great advantage to the government of the United States, and, further, that the inland States have cheerfully contributed for twenty-five years past to the support and expenses of the Coast Survey, without any immediate benefits within their own limits, can we doubt that a request by the General Assembly, asking that Kentucky be included in the proposed survey of the United States, would be favorably received and acted upon by Congress?

If you concur in these views, resolutions ought immediately to be passed by the General Assemby, asking the Congress of the United States to authorize the director of the United States Coast Survey, wherever any State has instituted a geological survey of its territory, to co-operate in such work, by making all necessary triangulations, and other necessary delineations, necessary to facilitate the work of mapping the results.

In addition to the inexhaustible mineral resources which the proposed topographical work would develop to the world, as contained in Kentucky, another source of wealth belonging to it, hitherto comparatively unnoticed, would then assume importance. I refer to the water-power which our streams upon every side afford. The rapid descent of many of our water-courses, while unfitting them for navigation, afford somewhat compensatory equivalents by giving valuable sources of power, well fitted for driving every description of machinery. This, as a source of increased wealth and population, will at some future day become incalculable.

LABOR AND EMIGRATION.

A change in the domestic polity of Kentucky has become forced upon her people by a fundamental alteration of her domestic institutions. Wise statesmanship, and enlightened public policy, alike demand, prompt, popular adaptation to this new condition of affairs as speedily as possible. The present need of the State is a sufficient supply of efficient labor. It can only be obtained by largely increased white foreign emigration. This is now an essential requisite to our prosperity. It lies at the root of all social and material wealth. It is a question which towers in importance at this time over any, except the revenue, upon which you will be called to

act. Every step which can be taken, to invite foreign emigration to Kentucky, should be taken promptly. Europe is limited in soil, and groans under an excess of population, while America contains more land, than she has laborers to cultivate. It only requires that an effort should be made to bring before the people of Europe, the claims, which Kentucky presents to the emigrant for making it his future home.

Prominent, among the questions proposed by every emigrant, in search of a new home, in a new country, are those touching health, climate, its temperature, and adaptation to the production of the grand staples of food and its rate of taxation.

Our Commonwealth possesses all these advantages in an eminent degree, and to them, many others might be added.

Lying in the center of the Mississippi Valley, it has been justly styled, the "Garden of the American Union." Its area contains thirty-seven thousand six hundred and eighty square miles, lying between thirty-five and forty degrees of north latitude. It has a desirable climate, and is unsurpassed in health. Indian corn, tobacco, wheat, mules, horses, and cattle, constitute its chief surplus for export. With an inexhaustibly fertile soil, its productions of fruits, herbs, flowers, animals, or minerals, challenge competition. It abounds in forests heavily timbered; the grasses of Kentucky are justly celebrated for their nutrition, and afford pasturage to the finest sheep, cattle, horses, and mules. The State is well watered, and upon its undulating slopes, and southern exposures the grape vine flourishes, and is largely and profitably cultivated in certain portions of the State. Our highways, the surest indices of the condition and prosperity of a people, are multiplying. In 1835, Kentucky had but fifteen miles of railroad. She has in 1868, eight hundred and five miles, completed. The means and mode of disseminating throughout Europe, in cheap and authentic form, the inducements Kentucky holds out to the emigrant for settlement, should command your early attention.

Many applications from abroad and at home, are daily made to me, for reports and statistics as to Kentucky, which I have been unable to supply.

No care has been taken of State publications. A connected series of the Reports of the Auditor and Treasurer for many past years can scarcely be had.

I recommend the establishment of a bureau of statistics, and a Register, who shall prepare and take charge of them. It shall be his duty to take charge of all surplus copies of State documents, maps, &c., which have been, or may hereafter be prepared. It might be accomplished at small expense, by attaching such a department to the duties of the Register of the Land Office, and increasing his compensation.

Or, if it be deemed more desirable, an Agricultural Bureau might be established, charged with the duty of preparing, preserving, and disseminating such statistical information, in addition to being charged with the agricultural interests of the State. This, as an instrumentality and agency of the State, would do much more good to the great cause of agriculture, upon which at last all material prosperity depends, than the present organization of the State Agricultural Society, which wants both power and means to make its efficiency felt. As a State agency, adapted to the object of collecting statistical information, ascertaining the success in various modes of culture in Kentucky in its different sections; the analysis of soils, and numerous details and experiments connected with agricultural and mechanical science, it would doubtless prove as eminently successful here as such a department has proved to be in many of our sister States.

Some department of statistics should be established.

As to the mode of disseminating our statistics in Europe, it could easily be done through the instrumentality of emigration societies, and land companies, now in operation in the United States.

Besides, we might have agencies in the principal towns in Europe with very inconsiderable cost. Proposals have been suggested to me, informally, to undertake such agencies, and to open offices in the principal cities of England and Scotland, free of compensation, save that Kentucky should furnish, gratuitously, all statistics, and pay a small amount for their advertisement in the European papers.

I have thus endeavored, at perhaps too much length, and with the utmost freedom, to present to you, as co-workers with me in the State government, the condition of State affairs, and to offer to your consideration, suggestions in regard to certain objects of interest which I think require legislation.

If they meet your approval, you will give them shape, and take such action as shall render them efficient and practical. They

have been prompted by an ardent wish for the welfare of the people of this Commonwealth, and with my solemn conviction that their adoption will be found conducive to their happiness and prosperity.

In conclusion, invoking the Divine blessing upon your deliberations and legislative action, I assure you of a faithful and cordial concurrence, upon my part, in every constitutional measure tending to the welfare of the people of this Commonwealth, which shall receive your sanction.

J. W. STEVENSON.

The following Report of the Inspectors of the Penitentiary accompanied the Governor's message, viz:

FRANKFORT, December 30th, 1868.

To His Excellency Governor Stevenson:

SIR: In presenting our closing report for the present year relative to the Kentucky Penitentiary, we need not reiterate anything we have heretofore said concerning its general management, the fitness of the Keeper for his position, and his humane treatment of the prisoners. Its sanitary condition is good, and within the past year the health of the inmates has been remarkable. At the present time not a single convict is confined to his bed.

The new cells have been completed, and the Keeper is furnishing them as rapidly as possible. We observed, however, that many of the locks on the old cells are, from natural wear and tear, becoming very defective, and should at once be replaced with new ones. The number required is two hundred (200). A few of the cells on the lower tier are supplied with bars, in addition to the locks, for the purpose of greater security in confining the more desperate characters, and as the number of convicts is now quite large, we would recommend that all the cells on this tier be thus secured. It would be no difficult matter for a few determined prisoners to quietly effect an exit, release others, and overpower the guard, and our suggestions on this point, we think, should receive prompt attention.

There is another matter of equal importance. We allude to raising the walls and so guarding the top, either by sentinels or some mechanical contrivance, as to effectually prevent escape by scaling them. The facility with which a rope can be thrown over and a prisoner ascend, we have mentioned in former reports, and the comparative speed with which the feat is accomplished is almost incredible. Competent architects have looked into the matter, and various modes have been proposed to effect the object; and we now recommend that steps be taken to that end.

The condition of the front office was made the subject of a special report to your predecessor, and at the last session of the Legislature plans and specifications were presented in relation to an entire change of the whole front, by which the office could be made comfort-

able and genteel in appearance, and the gate more secure. No appropriation was made, however, for the purpose, and hence we call attention to it again.

In regard to suggesting appropriations year after year for the improvement of the institution, we would say, that, in our opinion, the fault has been in neglecting these matters too long. We are fortified in this by the facts connected with the old buildings destroyed by fire. They had been permitted to approach a state of dilapidation without anything being done except occasional patching, until at last the necessities of the case arising out of the conflagration compelled the erection of new ones; and when erected, they were made of such a substantial character as to last for long years to come. Now we firmly believe, that if a thorough and complete renovation of such parts of the Penitentiary as require it would be made, and made in the most substantial manner, it would be true economy to do so. This, perhaps, would require a large appropriation; but what is the difference between doing it at once and doing it in detail, especially when the State has the ability to accomplish it?

There is a subject that we have mentioned to your Excellency upon which we had hoped to be ready to present some tangible and definite proposition, viz: a reform in prison management and discipline. But it is a matter that requires much time and thought, and more investigation than we have been able to give it. It has not by any means escaped our attention, but we preferred to have greater sources of information from which to collate and arrange in a direct form, any opinions we might deduce therefrom. In this connection a kindred subject, however, claims notice.

We refer to the establishment of a House of Reform for females and young men. It is deeply to be regretted that the noble sentiments springing from a true philanthropic and Christian spirit, and so admirably expressed in your last annual message, did not meet with a more decided response from the General Assembly. True, a move was made in that direction, but on too limited a scale, and not in accordance with the high importance of the object. It may be pleaded in extenuation that the subject was something new, and should not be dealt with in haste; and whilst we would give due consideration and respect to the judgment and wisdom of the Legislature, yet we fear the necessity of the matter was not fully appreciated. It must be evident to all that the demoralized condition of the country growing out of the unhappy civil war afforded temptations almost irresistible to the commission of crime. To these temptations the youth of the land became easy victims, and the proportion of such in the various penal institutions is large. Now, if aught can be done in the way of reform, whilst the sentence of the law is being carried out at the same time, certainly the best subjects are those in the earlier periods of life. Let provision be made, therefore, for the enforcement of such salutary regulations as will impress the juvenile offender with the idea, that though he stands convicted of misdemeanor which deserves punishment, yet there is felt for him that kindly interest which would take him by the hand and gently lead him in the path of rectitude. The most effectual way to attain this end is, in our opinion,

such an institution as the one in question. One more remark on this subject. If the Legislature should feel inclined to establish a House of Reform, it must be approached in a more liberal spirit than at the last session. The limited amount appropriated was not at all compatible with the desired aim, and would scarcely lay the foundation for such an enterprise. If there exists the necessity for it, let it be met as its importance demands.

In conclusion, we would state that the Rev. James Black, a venerable minister of the Baptist Church, has been employed as Chaplain to the Penitentiary since the month of July last, at a salary of six hundred dollars per annum. He not only holds religious services on the Sabbath, but also visits the prison at various times within the week, and endeavors to impart wholesome moral instruction. The appointment is a satisfactory one.

Very respectfully,

J. M. MILLS,
RICHARD SHARP,
GEO. A. ROBERTSON,
Inspectors Kentucky Penitentiary.

Mr. Carlisle moved the following resolution, viz:

Resolved, That four thousand copies of the message of His Excellency, the Governor, be printed for the use of the members of the Senate, and that the same shall be furnished with envelopes and stamps.

Which was adopted.

Mr. Alexander read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That so much of the Governor's message as relates to the death of George Rogers Clarke and Governor Charles S. Morehead, be referred to a special joint committee.

Which was adopted.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Shelby railroad company, and to authorize certain counties to take stock in the same.

Which was granted, and the bill delivered to the messenger.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of the common school system.

Which was read the third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the sheriffs and other officers, con-

ducting the next annual election, to be held on the first Monday in August next, to open a poll in the various precincts in their respective counties, and take the sense of the qualified voters of this Commonwealth upon the propriety and expediency of imposing an additional tax of fifteen cents on each one hundred dollars' worth of property in the State, for the purpose of increasing the Common School Fund of Kentucky.

§ 2. That it shall be the duty of the proper officers conducting said election to propound distinctly to each voter the question: "Are you for or against levying an additional tax of fifteen cents on each one hundred dollars' worth of property to increase the Common School Fund?" If said voter shall answer in the affirmative, it shall be the duty of the clerk of the election to record his vote in favor of levying the tax for the purposes aforesaid. If he shall answer in the negative, it shall be the duty of said clerk to record his vote against it.

§ 3. That it shall be the duty of the sheriffs and other returning officers to make out a correct list of the vote required to be taken under the provisions of this act; and it shall be the duty of the county judges and county clerks of the several counties to compare and certify said lists of their respective counties; and said county clerks shall cause the same to be delivered to the Secretary of State within sixty days after the date of the said election; and upon a failure of any one of them to do so, he shall be fined in the sum of two hundred dollars, to be recovered against him as other fines are recovered under existing laws regulating elections in this State.

§ 4. If it shall appear that a majority of the votes cast under the provisions of this act are cast in the affirmative, it shall be the duty of the Secretary of State to report to the General Assembly, within five days after its next convening after the said election, a statement of the vote directed to be taken, as so cast, when it shall be the duty of the Legislature to adopt such measures as may be necessary to carry out the purposes of this act.

§ 5. That it shall be the duty of the Public Printer to print and deliver to the Secretary of State fifteen hundred copies of this act; and it shall be the duty of said Secretary of State to forward fifteen copies of the same for each representative district of the Lower House of the Legislature, to the various clerks of the county courts, in proportion to representation, by the first of July preceding the said election; and the said clerks are required by this act to deliver said copies to the sheriffs of their respective counties, and to take a receipt therefor; and it shall be the duty of said sheriffs to put one copy of this act at the place of holding elections in each election precinct in their respective counties, at least twenty days before the election at which the vote mentioned under this act is to be taken.

§ 6. That any person, other than a qualified voter of this State, who shall vote for or against the propositions in this act mentioned, shall be subject to all the fines and penalties now in force under the existing laws regulating elections.

§ 7. Should it be found that a majority of the votes cast at the said election, under the provisions of this act, are in favor of levying

the proposed additional tax, the Superintendent of Public Instruction, as soon as the fact is ascertained, shall proceed to prepare a revised or remodeled code of laws for the better organization and management of the Common School System of Kentucky, by the next meeting of the General Assembly; and, to aid him in this work, he may, with the counsel and advice of the other members of the Board of Education, the Attorney General, and Secretary of State, provide himself with the means and facilities for consulting the most experienced and competent men of the State, with such other authorities as may be thought necessary, in order to the highest improvement of the system.

§ 8. In order to defray any expenses of revising and remodeling the code of laws for the Common School System, that may be found necessary to that end, the Superintendent of Public Instruction may draw, through the Auditor of Public Accounts, upon the Treasurer of Kentucky, and his warrants shall be paid out of the School Fund: *Provided*, That the aggregate expenses thus paid shall not exceed five hundred dollars.

Mr. Vories moved that the further consideration of said bill be postponed until Tuesday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Cosby, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. H. Field,	Harrison Thompson,
Jno. G. Carlisle,	Evan M. Garriott,	A. C. Vallandingham,
John B. Clarke,	I. T. Martin,	W. L. Vories,
Lyttleton Cooke,	W. H Payne,	Ben. J. Webb—14.
Wm. A. Dudley,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Henry C. Lilly,
Joseph M. Alexander,	Joseph Gardner,	D. Y. Lyttle,
Robert Boyd,	W. C. Halbert,	Jno. W. F. Parker,
John B. Bruner,	G. A. C. Holt,	Philip Swigert,
Jos. H. Chandler,	O. P. Johnson,	I. C. Winfrey—15.

Mr. Bruner then moved to postpone the further consideration of said bill until Wednesday next, at 11 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a bill to amend the charter of the city of Covington.

Ordered, That said bill be made the special order of the day for Teusday next, at 11 o'clock, A. M.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Cairo Junction railroad company.

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for Saturday, the 16th inst., at 11 o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—

1. A bill to incorporate the Bullitt turnpike company.

On motion of same—

2. A bill to incorporate the Shepherdsville, Bullitt's Lick, and Pitt's Point turnpike or gravel road company.

On motion of same—

3. A bill to amend chapter 4, article 2, Civil Code of Practice, title "Injunction."

On motion of Mr. Alexander—

4. A bill to incorporate the Mount Carmel Cemetery Company, in Fleming county.

On motion of same—

5. A bill to charter the Fleming County Agricultural and Mechanical Association, at Flemingsburg.

On motion of Mr. Webb—

6. A bill to amend the charter of the Louisville Cement and Water Power Company.

On motion of Mr. Martin—

7. A bill amending an act, entitled "An act incorporating the Cynthiana Burial Association."

On motion of Mr. Field—

8. A bill to amend article 4 of chapter 3, Civil Code of Practice, title "Attachments."

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 2d, and 4th; the Committee on the Judiciary the 3d; the Committee on Agriculture and Manufactures the 5th; the Committee on the Revised Statutes the 6th; the Committee on Religion the 7th, and the Committee on the Codes of Practice the 8th.

And then the Senate adjourned.

THURSDAY, JANUARY 7, 1869.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in relation to firing a national salute.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a resolution from the House of Representatives, entitled

Resolution requesting the Governor to return certain bills.

In pursuance of the provisions of the resolution just cited, the Speaker appointed Messrs. Carlisle and Cooke as a committee on the part of the Senate, to act in conjunction with a similar committee to be appointed on the part of the House of Representatives.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of the Citizens' Bank."

An act to amend an act, entitled "An act to incorporate the Western Financial Corporation."

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Field, from the Committee on Circuit Courts—

A bill to amend an act to authorize the general council of Louisville to increase the salary of the judges of the Louisville chancery court and of the court of common pleas of Jefferson county, approved March 9, 1868.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to incorporate the Shepherdsville, Bullitt's Lick, and Pitt's Point turnpike road company.

By Mr. Martin, from the Committee on Religion.

A bill to amend an act incorporating the Cynthiana Burial Association.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to incorporate the Bullitt County turnpike road company.

By Mr. Cooke, from the Committee on the Judiciary—

A bill to incorporate the Louisville Medical College.

By Mr. Bruner, from the Committee on Revised Statutes—

A bill to amend the charter of the Louisville Cement and Water Power Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill for the benefit of Gilman Trafton.

Ordered, That said bill be referred to the Committee on Finance.

On motion of Mr. Carlisle, leave of indefinite absence was granted to Mr. Baker.

Mr. Martin read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up, and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency, the Governor of this Commonweelth, be, and he is hereby, empowered to employ such counsel as he may deem necessary to defend the interest of this State in a suit now pending in the Supreme Court of the United States against the State of Missouri, and that he draw his warrant on the Treasury for the costs of the same.

Mr. Bruner moved to refer said resolution to the Committee on Finance.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. T. Martin,
Jos. M. Alexander,	A. H. Field,	W. H. Payne,
F. M. Allison,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
Jno. G. Carlisle,	W. C. Halbert,	Harrison Thompson,
Jos. H. Chandler,	G. A. C. Holt,	W. L. Vories,
John B. Clarke,	O. P. Johnson,	Ben. J. Webb,
Lyttleton Cooke,	D. Y. Lyttle,	I. C. Winfrey—25.
A. D. Cosby,		

Those who voted in the negative, were—

John B. Bruner, Henry C. Lilly, Jno. W. F. Parker—3.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State.

Said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 7, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

J. Allen Porter, of Jefferson county.
Adolphus Rutlinger, of Jefferson county.
B. D. Bolling, of Jefferson county.
W. H. Kinnard, of Garrard county.
Wm. S. Price, of Garrard county.
W. W. Kimbrough, of Harrison county.
Timoleon Bradshaw, of Adair county.
Jeremiah Davidson, of Greenup county.
John M. Harbeson, of Bracken county.
James G. Carter, of Rockcastle county.
Thomas J. Berry, of Union county.
L. L. Park, of Madison county.
J. W. Gillispie, of Woodford county.
Evan P. Graves, of Fayette county.
J. Allen Murray, of Breckinridge county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

Mr. Chandler moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms is hereby directed to furnish each Senator during the present session of the General Assembly with three newspapers, and that each Senator shall have the right to select any three such papers as he may desire: *Provided, however,*

That the cost thereof shall not exceed the usual subscription price for each paper so furnished, and that the resolution on the same subject, adopted at the last session, be, and the same is hereby, repealed.

Which was adopted.

The committee appointed on the part of the Senate, to act in conjunction with a similar committee appointed on the part of the House of Representatives, to wait upon the Governor and ask the withdrawal of certain bills which had heretofore been submitted to him for his approval, reported that they had performed the duty assigned them. And such as originated in the Senate were handed in at the Clerk's table; that which was entitled "An act to incorporate the Green River Bank," was, on motion, referred to the Committee on Banks; and that which was entitled "An act to incorporate the Eastern Kentucky Coal, Iron, and Railroad Company," was, on motion, referred to the Committee on the Judiciary.

The following petitions were presented, viz:

By Mr. Carlisle—

1. The petition of sundry citizens of Kenton county, praying a reduction in the rate of tolls on the Covington and Lexington turnpike road.

By same—

2. The petition of St. Elizabeth Hospital, asking an appropriation of money in aid of said institution.

By Mr. Halbert—

3. The petition of Samuel Ellis, of Lewis county, praying the passage of an act allowing him further time to collect the revenue and to return his delinquent list.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement, and the 2d and 3d to the Committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—

1. A bill to incorporate the Elizabethtown, Lexington, and Big Sandy railroad company.

On motion of Mr. Cosby—

2. A bill to authorize the trustees of the town of Rumsey to sell its public grounds.

On motion of Mr. Gardner—

3. A bill for the benefit of W. D. Boyd, of Johnson county.

16990

On motion of same—

4. A bill for the benefit of Wm. Adams, of Magoffin county.

On motion of Mr. Vories—

5. A bill to abolish the police court of Consolation.

On motion of Mr. Clarke—

6. A bill for the benefit of Samuel A. Yeaman, of Bracken county.

On motion of same—

7. A bill regulating the fees of sheriffs in this Commonwealth.

On motion of Mr. Chandler—

8. A bill to change the time of holding the quarterly and justices' courts in Taylor county.

On motion of same—

9. A bill to change the boundary lines between the counties of Adair and Taylor.

On motion of Mr. Halbert—

10. A bill to incorporate the Vanceburg, Dry Run, and Kinniconick turnpike road company.

On motion of same—

11. A bill to amend an act, entitled "An act to incorporate the Concord and Tollsboro turnpike road company."

On motion of same—

12. A bill to incorporate the Vanceburg, Quincy, and Springville turnpike road company.

On motion of same—

13. A bill for the benefit of Samuel Ellis, sheriff of Lewis county.

On motion of same—

14. A bill for the benefit of J. B. Fitch, late sheriff of Lewis county.

On motion of Mr. Martin—

15. A bill incorporating the Cynthiana Deposit Bank.

On motion of Mr. Allison—

16. A bill authorizing the Muhlenburg county court to levy and collect an ad valorem tax, and to increase the county levy.

On motion of Mr. Speaker Johnson—

17. A bill for the benefit of the county court of Nelson.

On motion of Mr. Parker—

18. A bill for the benefit of Pulaski county.

On motion of Mr. O. P. Johnson—

19. A bill to change the time of holding the circuit courts in Butler and Todd counties.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 10th, 11th, and 12th; the Committee on County Courts the 2d, 8th, 16th, and 17th; the Committee on Military Affairs the 3d; the Committee on the Judiciary the 4th, 5th, 6th, 7th, and 9th; the Committee on Finance the 13th and 18th; the Committee on Circuit Courts the 14th and 19th, and the Committee on Banks the 15th.

And then the Senate adjourned, to meet again on the 9th inst., at 10 o'clock, A. M.

SATURDAY, JANUARY 9, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the resolution from the Senate, entitled

Resolution in regard to employment of counsel in the suit between this Commonwealth and the State of Missouri.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Sanford M. Collins, of Mason county.

2. An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax."

3. An act for the benefit of the Frankfort city school.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance, and the 2d and 3d to the Committee on Education.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to change the line dividing Simpson and Logan counties.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Resolved, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Halbert, from the Committee on Circuit Courts—

A bill for the benefit of Joshua B. Fitch, late sheriff of Lewis county.

By Mr. Boyd, from the Committee on County Courts—

A bill for the benefit of the county court of Nelson county.

By Mr. Allison, from same committee—

A bill authorizing the Muhlenburg county court to levy a tax, and to increase the county levy of said county.

By Mr. Holt, from the Committee on the Judiciary—

A bill to repeal an act, entitled "An act to incorporate the town of Consolation, in Shelby county."

By Mr. Garriott, from the Committee on County Courts—

A bill to authorize the Hancock county court to appropriate the excess of county levy for the year 1867 to the payment of the deficiency in the court-house fund for the year 1868.

By Mr. Payne, from the Committee on Internal Improvement—

A bill to amend the act, entitled "An act to enlarge the town of Bowling Green."

By Mr. Alexander, from the Committee on County Courts—

A bill to incorporate the Mount Carmel Cemetery Company, in Fleming county.

By Mr. Garriott, from the same committee—

A bill changing the time of holding the quarterly courts and courts of justices of the peace for Taylor county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend the charter of the Citizens' Bank;"

An act to amend an act, entitled "An act to incorporate the Western Financial Corporation;"

And an enrolled resolution, which originated in the Senate, entitled Resolution in relation to firing national salutes;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had disagreed to the passage of a bill to establish the county of Elliott out of parts of Morgan, Lawrence, and Carter counties.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Swigert—

1. A bill to amend an act, entitled "An act to incorporate the Kentucky River Navigation Company."

On motion of same—

2. A bill to amend the charter of the Deposit Bank of Frankfort.

On motion of same—

3. A bill to authorize the sale of so much of the turnpike road leading from Hardinsville to Lawrenceburg as lies in Franklin county.

On motion of Mr. Bradley—

4. A bill for the benefit of W. A. Nesbit, of Hopkins county.

On motion of same—

5. A bill for the purpose of legalizing the acts of the Hopkins county court of claims at its November term, 1868.

On motion of Mr. Boyd—

6. A bill for the benefit of E. T. Fish, late clerk of the Rockcastle county and circuit courts.

On motion of Mr. Payne—

7. A bill to amend an act, entitled "An act to enlarge and define the boundary of the town of Bowling Green."

On motion of same—

8. A bill to amend section 636 of the Civil Code of Practice.

On motion of Mr. Holt—

9. A bill for the benefit of R. E. Beckham, clerk of Calloway county.

On motion of Mr. O. P. Johnson—

10. A bill to authorize the county court of Butler county to issue county bonds.

On motion of Mr. Alexander—

11. A bill for the benefit of the police court of Mt. Carmel, in Fleming county.

On motion of Mr. Gardner—

12. A bill for the benefit of Magoffin county.

On motion of same—

13. A bill for the benefit of Magoffin county.

On motion of same—

14. A bill for the benefit of the Wolfe county court.

On motion of Mr. Payne—

15. A bill changing the voting place in Covington district, No. 4, Warren county, from B. C. Sanders' to Rockfield.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 3d, and 7th; the Committee on Banks the 2d; the Committee on Finance the 4th; the Committee on County Courts the 5th, 6th, 10th, 11th, and 14th; the Committee on the Codes of Practice the 8th and 13th; the Committee on the Judiciary the 9th; the Committee on Revised Statutes the 12th, and the Committee on Privileges and Elections the 15th.

A message was received from the House of Representatives, announcing that they had appointed a committee, to act in conjunction with a similar committee to be appointed by the Senate, to wait upon the Governor, for the purpose of asking the withdrawal of a bill, which had been presented to him for his approval, which bill originated in the House of Representatives, entitled

An act to amend the charter of the Citizens' Bank of Louisville.

Whereupon, Messrs. Vories and Johnson were appointed said committee.

And then the Senate adjourned.

MONDAY, JANUARY 11, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a resolution from the House of Representatives, entitled

Resolution requesting the Governor to return certain bills.

That they had passed a bill, which originated in the Senate, entitled

An act to amend an act to authorize the general council of Louisville to increase the salary of the judge of the Louisville chancery court and of the court of common pleas of Jefferson county, approved March 9, 1868.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to extend the charter of the Louisville Gas Company," approved January 30, 1868.

Said last named bill was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on the Judiciary.

The Speaker laid before the Senate the following Report of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, viz:

KENTUCKY AND LOUISVILLE MUTUAL INSURANCE COMPANY,
LOUISVILLE, KY., January 9, 1869.

The Honorable the Speaker of the House of Representatives, Frankfort, Ky.:

SIR: In accordance with the requisition of the charter of this company, section 22d, and the order of our Board of Directors, I herewith transmit to you a copy of annual report of the condition, progress, and affairs of this company, from its organization in 1839, up to and including 30th November, 1868, and request that you will lay the same before the body over which you preside.

I have the honor to be,

Very respectfully, yours, &c.,

D. McNAUGHTAN, *Sec'y.*

The Kentucky and Louisville Mutual Insurance Company Report for year 1868.

President—Thomas Coleman.

Directors—Wm. H. Stokes, A. B. Semple, Jos. T. Tompkins, Jos. Monks, Wm. C. Hite, J. F. Speed, Wm. Piatt, and And. Low.

Secretary—D. McNaughtan.

The average annual cost of insurance for the six years ending December 1, 1868, is—

On first class buildings, 25 cents per $100.
On second class buildings, 31¼ cents per $100.
On third class buildings, 37½ cents per $100.
On fourth class buildings, 43¾ cents per $100.
On fifth class buildings, 50 cents per $100.
On sixth class buildings, 56¼ cents per $100.
On seventh class buildings, 62½ cents per $100.

General Report of the business of the Company from its origin up to and including the 30th November, 1868.

The whole number of policies issued was 6,214, insuring property to the amount of	$16,542,682 50
Deduct amount of policies expired and canceled	11,003,423 32
Leaving at risk 1st December, 1868	$5,539,259 18
The total amount of premium notes taken was	$1,415,930 67
Deduct amount canceled	882,670 57
Leaving in force as a fund liable to call	$533,260 10
The total receipts were—	
From premiums, 1st (or 10 per cent.) payments	$137,816 51
From premiums, assessment calls	142,443 39
Extra premiums	3,922 60
Policy fees	6,214 00
Transfer fees	332 00
Interest	3,327 84
Stamps	652 50
	$294,708 84
The total expenditures were—	
Expenses	$79,032 43
Losses (commission account included)	212,758 55
Stamps	652 50
	$292,443 48
Cash balance on hand December 1, 1868	2,265 36
	$294,708 84

Attested by D. McNAUGHTAN, *Sec'y.*

The Senate, according to order, took up for consideration bills from the House of Representatives, of the following titles, viz:

1. An act to repeal the 13th section of an act, entitled "An act providing a general mechanics' lien law for certain cities and counties, and to enact a general mechanics' lien law."

2. An act to repeal the 6th section of an act approved 6th of February, 1854, entitled "An act to amend the charter of the Covington and Lexington railroad company, and to alter the rates of freight therein charged."

3. An act to incorporate the Fidelity Insurance Company of Eminence, in Henry county.

Ordered, That the 1st be referred to the Committee on the Judiciary, and the 2d and 3d be placed in the regular orders of the day.

The Senate took up for consideration a bill to equalize representation in the Third and Eighth Congressional Districts.

On motion of Mr. Lyttle, said bill was laid upon the table.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Field, from the Committee on Circuit Courts—

A bill to change the time of holding the circuit courts in Todd and Butler counties.

By Mr. Halbert, from the same committee—

A bill to amend an act, entitled "An act to amend an act providing for the erection of public buildings in Lewis county."

By same—

A bill to amend an act, entitled "An act to amend an act to levy a tax to aid in building turnpike roads in Lewis county."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dudley moved the following resolution, viz:

Resolved, That the Committee on Revised Statutes be directed to prepare and bring in a bill to limit the defense of insanity in criminal cases, so as that drunkenness, or that voluntary insanity which results as the immediate effect of taking any intoxicating liquor or drug, shall be declared to be no excuse for crime.

Which was adopted.

Mr. Parker moved the following resolution, viz:

Resolved, That so much of the Governor's message as relates to "Geological Survey" be referred to the Committee on Geological Survey, with instructions to report by bill or otherwise.

Which was adopted.

Mr. Turner read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up, and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the General Assembly of Kentucky adjourn on the 3d day of February, 1869, *sine die*.

Mr. Bruner moved to amend said resolution by striking out "3d day of February," and inserting in lieu thereof the "25th day of January, inst."

Mr. Lilly then moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dudley and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Joseph M. Alexander,	Evan M. Garriott,	Philip Swigert,
Lyttleton Cooke,	W. C. Halbert,	W. L. Vories,
A. D. Cosby,	D. Y. Lyttle,	Ben. J. Webb—11.
Joseph Gardner,	E. D. Standeford,	

Those who voted in the negative, were—

Robert Boyd,	Wm. A. Dudley,	W. Lindsay,
A. K. Bradley,	G. A. C. Holt,	Jno. W. F. Parker,
John B. Bruner,	O. P. Johnson,	Oscar Turner,
Jos. H. Chandler,	Henry C. Lilly,	I. C. Winfrey—13.
John B. Clarke,		

Mr. Halbert then moved to amend the amendment proposed by Mr. Bruner by striking out the "25th day of January, inst.," and inserting in lieu thereof the "21st day of February next."

Mr. Winfrey then moved to lay said resolution and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Winfrey and Cosby, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Jno. W. F. Parker,	Ben. J. Webb,
Evan M. Garriott,	Philip Swigert,	I. C. Winfrey—8.
D. Y. Lyttle,	W. L. Vories,	

Those who voted in the negative, were—

Robert Boyd,	A. D. Cosby,	Henry C. Lilly,
A. K. Bradley,	Wm. A. Dudley,	W. Lindsay,
John B. Bruner,	Joseph Gardner,	E. D Standeford,
Jos. H. Chandler,	W. C. Halbert,	A. C. Vallandingham,
John B. Clarke,	G. A. C. Holt,	Oscar Turner—17.
Lyttleton Cooke,	O. P. Johnson,	

Mr. Dudley then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Halbert, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Holt and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Joseph Gardner,	W. C. Halbert—4.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	E. D. Standeford,
Jos. M. Alexander,	G. A. C. Holt,	Philip Swigert,
A. K. Bradley,	O. P. Johnson,	Oscar Turner,
John B. Bruner,	Henry C. Lilly,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	John W. F. Parker,	I. C. Winfrey—22.
Wm. A. Dudley,		

The question was then taken on the adoption of the amendment proposed by Mr. Bruner, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Cosby, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	A. D. Cosby,	John W. F. Parker,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	W. L. Vories,
Joseph H. Chandler,	Henry C. Lilly,	Ben. J. Webb,
John B. Clarke,	W. Lindsay,	I. C. Winfrey—15.

Those who voted in the negative, were—

Jos. M Alexander,	W. C. Halbert,	E. D. Standeford,
Lyttleton Cooke,	G. A. C. Holt,	A. C. Vallandingham,
Wm. A. Dudley,	D. Y. Lyttle,	Philip Swigert—10.
Evan M. Garriott,		

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swigert and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Wm. A. Dudley,	John W. F. Parker,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
John B. Bruner,	G. A. C. Holt,	A. C. Vallandingham,
Jos. H. Chandler,	O. P. Johnson,	W. L. Vories,
John B. Clarke,	Henry C. Lilly,	Ben. J. Webb,
A. D. Cosby,	W. Lindsay.	I. C. Winfrey—18.

Those who voted in the negative, were—

Jos. M. Alexander,	W. C. Halbert,	E. D. Standeford,
Lyttleton Cooke,	D. Y. Lyttle,	Philip Swigert—7.
Evan M. Garriott,		

Mr. Bruner then moved to reconsider the vote by which the Senate adopted the resolution in relation to a final adjournment.

Mr. Turner then moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	A. D. Cosby,	W. Lindsay,
A. K. Bradley,	Wm. A. Dudley,	E. D. Standeford,
John B. Bruner,	Joseph Gardner,	Oscar Turner,
Joseph H. Chandler,	G. A. C. Holt,	I. C. Winfrey—14.
John B. Clarke,	O. P. Johnson,	

Those who voted in the negative, were—

Lyttleton Cooke,	D. Y. Lyttle,	W. L. Vories,
Evan M. Garriott,	Jno. W. F. Parker,	Ben. J. Webb—8.
W. C. Halbert,	Philip Swigert,	

Mr. Bruner, from the Committee on the Revised Statutes, reported a bill to limit the defense of insanity in criminal cases.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Alexander--

1. A bill to incorporate the town of Morehead, in Rowan county.

On motion of Mr. Chandler—

2. A bill to establish a conventional rate of interest in this Commonwealth.

On motion of Mr. Turner—

3. A bill to amend the jury system.

On motion of same—

4. A bill to perpetuate evidence in certain cases.

On motion of same—

5. A bill to transfer cases in court of common pleas in certain cases to circuit courts.

On motion of same—

6. A bill to amend an act, entitled "An act to incorporate the Paducah and North Ballard turnpike company."

On motion of same—

7. A bill to amend the act creating the court of common pleas in the 1st judicial district.

On motion of same—

8. A bill to protect owners of timber from depredations of rafting thieves.

On motion of same—

9. A bill to incorporate the Paducah and Clark's River Railway and Lumber Company.

On motion of Mr. Lindsay—

10. A bill to amend the charter of the town of Clinton.

On motion of same—

11. A bill to amend the road laws so far as Hickman county is concerned.

On motion of Mr. Cooke—

12. A bill to incorporate the Louisville and New Orleans Transportation Company.

On motion of Mr. Standeford—

13. A bill to incorporate the Farmers' and Drovers' Bank of Louisville.

On motion of Mr. Lilly—

14. A bill to regulate the time of holding circuit courts in the 13th judicial district.

On motion of Mr. Cooke—

15. A bill to amend the charter of the Louisville Journal Company.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Finance the 2d; the Committee on the Judiciary the 3d, 4th, 5th, 7th, 8th, 12th, and 15th; the Committee on Executive Affairs the 6th and 9th; the Committee on County Courts the 10th and 11th; the Committee on Banks the 13th, and the Committee on Circuit Courts the 14th.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 11, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

James R. Dupey, of Jefferson county.
Orange M. Reed, of Jefferson county.
Charles H. Gibson, of Jefferson county.
Fred. Frische, of Jefferson county.
D. W. Armstrong, of Jefferson county.
Bennett H. Young, of Jefferson county.
John B. Lindsey, of Franklin county.
W. W. Bacon, of Franklin county.
Uberto Keenon, of Franklin county.
T. H. Burke, of McCracken county.
C. E. Sears, of McCracken county.
Z. W. Bugg, of Ballard county.
J. M. Brummell, of Hickman county.
John R. Swiney, of Bourbon county.
Garrett S. Wall, of Mason county.
Henry Wilken, of Marion county.
E. L. Taulman, of Trimble county.
J. W. Muir, of Nelson county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

And then the Senate adjourned.

TUESDAY, JANUARY 12, 1869.

A message was received from the House of Representatives, announcing their disagreement to an amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to continue in force an act, entitled "An act to fix the fees of sheriffs," approved February 4, 1865.

That they had passed a bill from the Senate, entitled

An act to change the time of holding the quarterly courts and courts of justices of the peace for Taylor county.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Daniel White.

2. An act for the benefit of R. W. Eastham, late sheriff of Boyd county.

3. An act for the benefit of James Patton, late clerk of the Bourbon circuit court.

4. An act providing for a tax to assist in completing and building turnpike roads in Anderson county.

5. An act for the benefit of the Board of Internal Improvement for Scott county.

6. An act to amend the charter of the Shelbyville and Bardstown turnpike road company.

7. An act to amend the charter of the Mayslick and Sardis turnpike road.

8. An act to amend an act, entitled "An act to amend the charter of the Mayslick and Helena turnpike road."

9. An act for the benefit of John M. Duke, jr., late clerk of the Mason circuit court.

10. An act for the benefit of John J. Jordan, late clerk of the circuit and county courts of Lawrence county.

11. An act to allow James E. Wright, late clerk of the Logan circuit and county courts, further time to collect his fee bills.

12. An act to re-enact an act to fix the fees of sheriffs, approved February 4, 1865.

13. An act authorizing George C. Rogers, judge of the 4th judicial district, to sign the orders of the Muhlenburg circuit court at the December term, 1867, and May term, 1868.

14. An act for the benefit of W. W. Hancock, marshal of the town of Greenville.

15. An act for the benefit of the administrators of D. L. Miller, late sheriff of Ohio county.

16. An act for the benefit of Ben. Duvall, late sheriff of Ohio county.

17. An act to incorporate the Paris and Ruddle's Mill turnpike road company, No. 2.

18. An act to amend the charter of the Massie's Mill turnpike road company.

19. An act to extend the charter of the Blandville and Cairo Gravel road company to Mayfield, in Graves county.

20. An act to incorporate the Orangeburg and Tollsboro turnpike road company, in Mason county.

21. An act to charter the Metropolis and Union City railroad company.

22. An act for the benefit of the city of Frankfort.

23. An act for the benefit of the United Baptist Church at Lebanon.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 9th, 10th, 11th, 12th, 15th, 16th, and 22d to the Committee on Finance; the 4th, 5th, 6th, 7th, 8th, 17th, 18th, 19th, 20th, and 21st to the Committee on Internal Improvement; the 13th and 14th to the Committee on the Judiciary, and the 23d to the Committee on Religion.

A message was also received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in relation to the death of Gen. L. H. Rousseau.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Lindsay, from the Committee on County Courts—

A bill for the benefit of Butler county.

By same—

A bill to authorize the county court of Wolfe county to levy a tax and increase the county levy.

By same—

A bill to amend the charter of the town of Clinton.

By Mr. Garriott, from the same committee—

A bill to authorize the trustees of the town of Rumsey to sell the public grounds in said town.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to incorporate the town of Morehead.

By same—

A bill to incorporate the Vanceburg, Quincy, and Springville turnpike road company.

By same—

A bill to amend an act, entitled "An act to incorporate the Concord and Tolisboro turnpike road company.

By same—

A bill to incorporate the Vanceburg, Dry Run, and Kinniconick turnpike road company.

By same—

A bill to amend an act, entitled "An act to incorporate the Kentucky River Navigation Company."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Alexander, from the Committee on Internal Improvement, reported a bill to incorporate the Elizabethtown, Lexington, and Big Sandy railroad company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Saml. B. Thomas, M. H. Coler, C. G. Wintersmith, of the county of Hardin, and State of Kentucky; Lieut. Governor Johnson, E. W. Graves, and Isaac Stone, of the county of Nelson, in said State; Wm. McBrayer, Dr. Witherspoon, John F. Mills, and John Draffin, of

the county of Anderson, in said State; Thomas Grundy and R. J. Browne, of the county of Washington, in said State; B. Magoffin, sr., S. M. McBrayer, Dr. Conner, and Dr. A. Thompson, of the county of Mercer, in said State; L. S. Trimble, S. W. Morton, and J. M. Bigger, of the county of McCracken, in said State; T. P. Porter, Hart Gibson, S. Robinson, Henry Graddy, J. P. Ford, F. P. Kinkead, D. J. Williams, James R. Stephenson, Thomas Elmore, and J. D. Helm, of the county of Woodford, in said State; I. C. Vanmeter, John R. Viley, J. B. Bowman, W. R. Estill, and Joseph S. Woolfolk, of the county of Fayette, in said State; Harrison Thompson, B. B. Groom, Benjamin Vanmeter, and Lewis Gay, of the county of Clark, in said State; John Clay, Henry Howard, Richard Reid, and Thomas Turner, of the county of Montgomery, in said State; George Hamilton, Wm. Sudduth, and A. P. Read, of the county of Bath, in said State; A. M. West and Saml. Tate, of the State of Mississippi, be, and they are hereby, appointed commissioners, under the direction of whom, or any three of whom, subscriptions may be received to the capital stock of the Elizabethtown, Lexington, and Big Sandy Railroad Company, which is hereby incorporated; and they may cause books to be opened, at such times and places as they may direct, for the purpose of receiving subscriptions to the capital stock of said company, after having given such notice as they deem proper; and if such amount of subscriptions to the capital stock of said company as is necessary to its incorporation shall not have been obtained, said commissioners, or a majority of them, may cause said books to be opened, from time to time, and may adjourn to such place as they may deem proper, until the sum necessary to its incorporation shall be subscribed: *Provided*, That any subscription, tendered at any time and place other than those advertised, that may be received by said commissioners, or any one of them, shall be as valid against the parties subscribing, as if received at the time and place advertised; and if any of said commissioners shall die or resign, or refuse to act during a continuance of the duties devolved upon them by this act, others may be appointed in their stead by a majority of those remaining.

§ 2. That the capital stock of the Elizabethtown, Lexington, and Big Sandy railroad company shall be five millions of dollars, in shares of one hundred dollars each, which may be subscribed by any individual, company, or corporation; and as soon as two thousand shares of said stock shall be subscribed, the subscribers, their successors and assigns, shall be, and are hereby, to be declared incorporated into a company, by the name of the Elizabethtown, Lexington, and Big Sandy railroad company; and by this name shall be capable of purchasing, holding, selling, leasing, and conveying real estate, not exceeding ten thousand acres, and personal estate so far as the same may be necessary for the purposes of the corporation, and shall have perpetual succession; and by said corporate name may sue and be sued, contract and be contracted with, and may have and use a common seal, and alter or renew the same at pleasure, and shall have any, and enjoy all the privileges, which other similar corporate bodies may lawfully do.

§3. That there shall be paid, at the time of subscribing for stock in said company, to the person receiving the subscription, the sum of one dollar on each share, either in money, or in a note or notes, at not more than sixty days, payable to some one or more of said commissioners, and negotiable in some bank. The residue of said subscription shall be payable in installments, at such times as may be required by the board of directors of said company. But no such payment shall be demanded, until at least ten days' notice shall have been given, by publication in one or more newspapers published on the line of said road; and if any subscriber shall fail to pay any installment, or part of any installment, when so demanded, the same may be recovered by an action in the name of the corporation, before any court having jurisdiction in such cases; and in all such actions, it shall not be necessary to prove any other demand than the publication provided for in this section; or, in case such failure to pay any installment, or part of installment, so demanded, shall continue for the space of sixty days after the time the same is required by such demand to be paid, the board of directors may, at their discretion, order the same to be forfeited to the company, and may, if they think proper, sell said share or shares for the benefit of the company, or, in the event of the highest bid being less than the unpaid balance and interest on said subscription, then the company may become the purchaser, and shall retire said subscription. But the board of directors, by a majority of the whole, may remit such forfeitures on such terms as they may think proper: *Provided*, It shall be lawful for the commissioners, or board of directors, to receive subscriptions to said capital stock, payable in contracts, well secured, to build any parts of said road, or any bridge or bridges on the same, or to perform any work, or furnish any materials which may be accepted by the company: *And provided further*, That subscriptions to said capital stock may be made in real estate, situated in Kentucky, if said subscriptions shall be tendered to the board of directors after their organization; said real estate to be taken at its cash value, to be assessed at the time by three commissioners on oath, of whom two shall be selected by the company, and one by the person proposing to subscribe. Upon their report in writing, describing the land, and assessing its cash value, the company may receive the same at its value and issue a stock certificate, and may take a deed of conveyance in fee simple; and the real estate received for stock subscriptions, and which the company is hereby authorized to receive, shall be over and above the ten thousand acres mentioned in the second section of this act.

§4. That at the expiration of the period for which the books are first opened, if two thousand shares of the capital stock shall have been subscribed, and if not, as soon thereafter as the same shall be subscribed, said commissioners, or a majority of them living, shall call a meeting, at such time and place as a majority of those acting shall designate, giving at least ten day's notice of the time and place in one or more newspapers published as aforesaid; and at such meeting, said commissioners shall lay the subscription books before the sub-

scribers then present, and thereupon said subscribers or a majority of them then present, shall have power to elect out of their own number, by ballot, nine directors to manage the affairs of said company, and these nine directors, or a majority of them, shall have power to elect a president of said company from among the directors, and to allow him such compensation for his services as they may think proper; and at such election, and on all other occasions where a vote of the stockholders of said company is to be taken, each stockholder shall be allowed one vote for every share of stock owned by such voter; and any stockholder may, in writing depute any other person to act as proxy for it, him, or her; and said commissioners aforesaid, or any three of them, shall be judges of said first election.

§ 5 That to continue the succession of the president and directors of said company, nine directors shall be chosen annually on the first Saturday in June of each year, at such place as the president and directors may appoint, by the stockholders of said company: *Provided*, That the president and directors may change the time and place of holding elections upon publishing such change, not less than thirty days prior to the election, in the newspapers aforesaid; and that the directors of said company, or a majority of them, shall have the power to appoint judges of all elections, and to elect a president of said company from among themselves, and to allow him such compensation for his services as they may deem proper; and if any vacancy shall occur by death, resignation, or refusal to act, of any president or director, before the year for which he was elected shall have expired, a person to fill such vacancy shall be appointed by the president and directors, or a majority of them, and that the president and directors of said company shall hold and exercise their offices until their successors are duly elected and enter upon the discharge of their duties; and all elections which are by this act, or by the by-laws of said company, to be made at a particular time, if not made at such time, may be made in ninety days thereafter, upon notice published in the newspapers aforesaid.

§ 6. That a general meeting of the stockholders of said company may be called at any time during the interval between the annual meetings by the president and the directors, or a majority of them, or by the stockholders owning one half of all the stock subscribed, upon giving thirty days' notice of the time and place of holding the same in the newspapers aforesaid; and when any such meeting is called by the stockholders, such notice shall specify the object of the call; and if, at any such called meeting, a majority of all the stockholders are not present in person or by proxy, the same shall be adjourned, from day to day, without transacting any business, for any time not exceeding five days; and if, within said five days, stockholders having a majority in value of all the stock subscribed do not attend in person or by proxy, such meeting shall be dissolved.

§ 7. That the president and directors of said company in office for the preceding year shall, at the regular annual meeting of the stockholders, exhibit a clear and distinct account of the affairs of said company; that at any called meeting of the stockholders, or a majority in value of the whole of the stock subscribed being present, may

demand and require similar statements from the president and directors, whose duty it shall be to furnish such statement when so required.

§ 8. That the president and directors of said company, before he or they act as such, shall swear or affirm, as the case may be, that they will well and truly discharge the duties of their respective offices to the best of their skill and judgment; and the said president and directors, or a majority of them, shall have power to elect or appoint a treasurer of said company, and require and take of him a bond, in such penalty, and with such securities as they may prescribe, payable to said company, conditioned for the faithful keeping and disbursing of all such money as may come into his hands, and with such other conditions as may be prescribed, upon which bond recovery may be had for a breach of the conditions thereof, by suit in the name of the company, and in any court having jurisdiction.

§ 9. That if any of the stock authorized by this act shall remain unsubscribed until after the election of president and directors, as provided for in the fourth section of this act, the said president and directors, or a majority of them, shall have power to open the books and receive subscriptions to the stock which shall remain unsubscribed, or to sell and dispose of the same for the benefit of the company, not under the par value of such stock; and the subscribers or purchasers of such stock shall have all the rights of original subscribers, and be subject to the same regulations and liabilities.

§ 10. That said president and directors, or a majority of them, may appoint all such officers, agents or servants, as they may deem expedient for the business of the company, and may remove the same at pleasure, or said board of directors may delegate to their president the power to appoint or remove any or all such employees, subject to their approval at their first meeting thereafter. That they, or a majority of them, may determine by contract the pay of such officers, agents or servants, and regulate by by-laws the manner of adjusting all accounts against the company, and the extent of the liability of the company to its employees; that they shall have power to erect, carry on, conduct, and control work-shops, eating houses, warehouses, and any buildings or edifices necessary or convenient for the use of said company; that they shall have power to direct and regulate in what manner and by what evidence stock in said company may be transferred; and to pass all by-laws they may deem necessary and proper for exercising the powers hereby vested in said company and for carrying into effect this act, and to alter the same at pleasure, provided the same be not contrary to the Constitution and laws of the United States or of this State.

§ 11. That if the capital stock of said company shall be deemed insufficient for the purpose of this act, it shall be lawful for the president and directors to increase the same as much as they may deem necessary, not exceeding the sum of ten millions dollars, giving notice as hereinbefore required; and the said company may borrow any sum of money, not exceeding five millions of dollars, and secure the payment of the same by the issue of first mortgage bonds of their road, or in such way as may be agreed upon.

§ 12. That the president and directors of said company are hereby vested with all powers and rights necessary to the construction of a railroad from Elizabethtown to a point on the Big Sandy, at or within twenty miles of its mouth, along such route as may be selected by the president and directors; and that they may cause to be made contracts, which shall be signed by the president, with any corporations, companies, or individuals, for making said road, or any part of it; and that they may purchase or lease any road or roads connecting with their said road, and that they, their agents, engineers, etc., or those with whom they may contract for surveying or making the same, or any part thereof, may enter upon, use, and excavate any land which may be wanted for the site of said road or the erection of warehouses or other structures or works necessary and convenient to said road or for its use, or for any other purpose necessary or useful in the construction and repair of said road or its works and appurtenances; and they may build bridges and construct tunnels, provided such bridges shall not obstruct navigation on any navigable stream; and may fix scales and weights, take and use timber, earth, gravel, stone, and other materials necessary or useful in the construction and repair of said road.

§ 13. That the president and directors, or a majority of them, or their authorized agents, may agree with the owners of any land, earth, stone, timber, or other materials or improvements which may be wanted for the construction or repair of said road or any of their works, for the purchase in fee simple, or the use and occupation of the same; and if they cannot agree, or if the owner or owners of any of them be a *feme covert*, under age, *non compos mentis*, or out of the county in which the property may lie, application may be made to any justice of the peace of said county, who shall, thereupon, issue his warrant, directed to the sheriff or any constable of said county, requiring him to summon twenty discreet men, not related to the owner, nor in any way interested, to meet on the land, or near the property or materials to be valued, on a day named in said warrant, not less than ten nor more than twenty days after the issuing of the same; and if, at the time and place, any of the said jurors do not attend, said sheriff or constable shall forthwith summon as many jurors as may be necessary, with the jurors in attendance, and from them each party, if present, or, if not present, by agent or otherwise, the sheriff or constable, for the party absent, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages. The sheriff or constable may adjourn the jury from day to day; and if they cannot agree upon a verdict, it shall be his duty to discharge them and summon another, to meet as soon as convenient. Before the jury acts, the sheriff or constable shall administer to them an oath or affirmation, that they will justly and impartially fix the damages which the owner or owners will sustain by the use and occupation of said property required by said company; and the jury, in estimating the damages, shall find the owner or owners the actual value of the land or other thing proposed to be taken; but in estimating damages resulting incidentally to the other land or other property of such owners, they shall offset the advantages to such residue to be derived

from the building and operating of said road by, through, or near such residue. The jury shall reduce their verdict to writing, and sign the same, and it shall be returned by the sheriff or constable to the clerk of the circuit court of his county, and such clerk shall receive and file it in his office; and such verdict shall be confirmed by the circuit court at its next regular term, if no sufficient reason is shown by either party for setting it aside; and when so confirmed, it shall be recorded by the clerk, at the expense of said company; but if set aside the court shall direct another inquisition to be held by the sheriff of the county in the manner above prescribed: *Provided*, That the company may proceed to construct their said road as soon as the first verdict of the jury shall be returned, whether the same be set aside and a new jury ordered or not; and every inquisition shall describe the property or the bounds of the land condemned, and the duration of interest in the same, valued for the company; and such valuation, when tendered or paid to owner or owners of said property, or to the sheriff of the county in which said inquest is held, when the owner or owners do not reside in such county, shall entitle said company to the use or interest in the same thus valued as fully as if it had been conveyed to it by the owner or owners of the same; and the valuation of the same, if not received when tendered, may, at any time thereafter within one year, be received from the company without costs or interest by the owners, his, their, or its legal representatives: *Provided*, That land condemned for road-way shall not be more than one hundred feet wide, unless said company shall file with the justice, at the time of applying for a warrant, the affidavit of some one of its engineers, stating that a greater width is necessary, and how much more is required, when the inquisition shall be for the quantity thus stated.

§ 14. That whenever it shall be necessary for said company to have, use, or occupy any land, material, or other property, in order to the construction or repairing of said road or their necessary works or buildings, the president and directors, or their agents, or those contracting with them for constructing or repairing the same, may immediately take and use the same, they having first caused the property wanted to be viewed by a jury formed as hereinbefore prescribed; and it shall not be necessary, after such view, in order to the use and occupation of the same, to wait the issue of the proceedings upon such inquest; and the inquest of the jury, after the payment or tender of such valuation, shall be a bar to all actions for taking and using such property, whether before or after such confirmation or payment of such valuation.

§ 15. That any county, town, or city through which said proposed road shall pass, is hereby authorized to subscribe stock in said railroad company in any amount any such town, city, or county may desire; and the county court of any such county is authorized to issue the bonds of their respective counties, in such amount as the county court may direct; and the chairman and board of trustees, or mayor and aldermen of any town, or the mayor and aldermen or council of any city, are hereby authorized to issue the bonds of their respective towns or cities in like manner. All said bonds shall be payable to

bearer, with coupons attached, bearing any rate of interest not exceeding six per cent. per annum, payable semi-annually in the city of New York, payable at such times as they may designate, not exceeding thirty years from date; but before any such subscription on the part of any town, city, or county shall be valid or binding on the same, the mayor and aldermen or chairman and board of trustees of any town, the mayor and aldermen or council of any city, and the county court of any county, shall submit the question of any such subscription to the qualified voters of any town, city, or county in which the proposed subscription is made, at such time or times as said chairman and board of trustees or mayor and aldermen of any town, mayor and aldermen or council of any city, or the county court of any county, may by order direct; and should a majority of the qualified voters voting at any such election vote in favor of subscribing stock in said railroad company, or should a majority of the qualified voters of any county, city, or town through which said railroad may pass petition the mayor and aldermen or chairman and board of trustees of any town, the mayor and council of any city, or the county court of any county, to subscribe stock in said railroad, designating in said petition the amount to be subscribed, then, in either event, it is hereby made the duty of the mayor and aldermen or chairman and board of trustees of any town, the mayor and aldermen or council of any city, or county court of any county, to which such vote or petition shall be presented, to make the subscription in the name of their respective towns, cities, or counties, and proceed to have issued the bonds to the amount of such subscription as hereinbefore directed; and the mayor and aldermen or chairman and board of trustees of any town, mayor and council of any city, or the county court of any county, that may subscribe for stock in said railroad company, are hereby authorized and required to levy annually and collect a tax upon the taxable property in their respective towns, cities, and counties, as listed and taxed under the revenue laws of this State, a sum sufficient to pay the interest on said bonds as it accrues, together with the cost of collecting the same. They are also authorized and required to make provision for paying said bonds at their maturity; and to enable them to do this, they may establish a sinking fund, and loan out the same at any rate of interest they can obtain, and, if necessary, collect the same by law, or may adopt such other means as to them may seem proper and expedient, and may levy and collect taxes annually or otherwise on the property aforesaid for this purpose. The person collecting said tax shall give tax receipts for the same, and any tax-payer paying tax to said road under the provisions of this act shall be entitled to stock in said railroad company to the amount of taxes he may pay, and the towns, cities, and counties under whose subscription the tax is levied shall be divested of stock to the extent of stock issued on said tax receipts; and whenever such receipts to the amount of one share or more shall be presented to the company, or an officer or agent designated by it, a certificate of stock shall be issued to the holder and owner of the receipt; but no certificates shall be issued for a fractional part of a share: *Provided*, That the said towns, cities, and counties shall receive no dividends on their

stock, but the holders of stock issued on said receipts as aforesaid shall be entitled to the same dividends, and to all the rights and privileges, as original and cash stockholders: *And provided further*, That said company may, in any way that may seem expedient to it, provide for pay, each or any year, to the towns, cities, counties, or any of them, the amount of tax levied by reason of said bonds, and thus stop the collection of the tax for that year: *And provided further*, That the company may purchase said bonds and surrender them at any time to the towns, cities, and counties issuing them, and have the same canceled; and the mayor and aldermen or chairman and board of trustees of any town, or the mayor and aldermen or council of any city, or the county court of any county, may appoint collectors for said tax, or may require the sheriffs or marshals of the counties, cities, or towns to collect the same, all of whom shall have the same powers and remedies, and shall proceed in the same way for the collection of said tax, as the sheriffs in the collection of the State revenue. The mayor and aldermen or chairman and board of trustees shall require and take from the person collecting the tax a bond, with sufficient sureties, conditioned as they may think best. If the collections are made by the sheriff or marshal, they shall settle and pay over the tax at the same times that sheriffs are required to pay the State revenue; and for their services in collecting, they shall in no case be allowed more than three per cent. commission on the amount collected.

§ 16. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 17. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Field and Payne, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	John W. F. Parker,
Jos. M. Alexander,	Joseph Gardner,	W. H. Payne,
F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
Robert Boyd,	W. C. Halbert,	Philip Swigert,
A. K. Bradley,	G. A. C. Holt,	Harrison Thompson,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay,	Ben. J. Webb,
Joseph H. Chandler,	D. Y. Lyttle,	I. C. Winfrey—25.
John B. Clarke,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Messrs. Cooke and Turner were, on motion, excused from voting on said bill.

Mr. Turner, from the Committee on the Judiciary, reported a bill to re-enact and continue in force the first and second sections of an

act to amend section 3 of article 6, chapter 27, of the Revised Statutes, approved February 22, 1865.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first and second sections of an act to amend section 3 of article 6, chapter 27, of the Revised Statutes, approved February 22, 1865 (*Myers' Supplement, page* 131), be, and the same are hereby, re-enacted and continued in force, with the same effect in all respects as if the same had not been limited to two years, as provided in the third section of said act: *Provided*, That no volume of Reports of the Decisions of the Court of Appeals hereafter to be printed shall contain less than seven hundred pages.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
F. M. Allison,	W. C. Halbert,	H. Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
Joseph H. Chandler,	W. Lindsay,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	I. C. Winfrey—26.
Lyttleton Cooke,	W. H. Payne,	

Those who voted in the negative, were—

Robert Boyd, John W. F. Parker—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Webb, from the Committee on Education, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax;"

An act for the benefit of the Frankfort city school;

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave of indefinite absence was granted the Messrs. Worthingtons, Cardwell, and Spalding.

The Senate took up for consideration a bill from the House of Representatives, which had been heretofore made the special order of the day for the 21st inst., entitled

An act to provide for the payment of certain claims for work and labor done, materials furnished, and other expenses incurred on the Green and Barren and Kentucky rivers.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts Adjourned January Session of* 1867–8.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	O. P. Johnson,	A. C. Vallandingham,
Joseph H. Chandler,	Henry C. Lilly,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
Lyttleton Cooke,	John W. F. Parker,	I. C. Winfrey—23.
A. D. Cosby,	W. H. Payne,	

Those who voted in the negative, were—

A. K. Bradley,	W. Lindsay,	Oscar Turner—4.
G. A. C. Holt,		

Resolved, That the title of said bill be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act to authorize the general council of Louisville to increase the salary of the judge of the Louisville chancery court and of the court of common pleas of Jefferson county, approved March 9, 1868;

Resolution in regard to employment of counsel in the suit between this Commonwealth and the State of Missouri;

And had found the same truly enrolled.

Said bill and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Cooke read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Judiciary Committees of the Senate and House of Representatives be, and they are hereby, directed to inquire into the present laws relating to the organization of corporations in this Commonwealth, and to report by bill or otherwise at the earliest practicable day.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Carlisle—

1. A bill to amend the charter of the Covington and Bank Lick turnpike company.

On motion of same—

2. A bill to amend the charter of the Covington and Cincinnati Bridge Company.

On motion of Mr. Thompson—

3. A bill for the benefit of the Schoolsville Branch of the Red River Iron Works turnpike road company.

On motion of same—

4. A bill for the benefit of the estate of A. H. Buckner, deceased.

On motion of same—

5. A bill for the benefit of the Clark County Institute.

On motion of Mr. Bradley—

6. A bill to amend an act, entitled "An act to create a Deposit Bank at Princeton, Kentucky."

On motion of Mr. Vallandingham—

7. A bill to make railroad companies responsible for the value of all stock killed by them.

On motion of same—

8. A bill to amend section 5, article 4, chapter 83, Revised Statutes.

On motion of same—

9. A bill to repeal all laws imposing a tax on dogs.

On motion of Mr. Halbert—

10. A bill to prohibit the killing of game of any kind on the land or premises of another, at any time of year, in Lewis county.

On motion of same—

11. A bill for the benefit of Lewis county.

On motion of Mr. Lilly—

12. A bill for the benefit of the Estill county court.

On motion of same—

13. A bill for the benefit of James H. Hall, late sheriff of Powell county.

On motion of same—

14. A bill for the benefit of Jordan Neal, late sheriff of Estill county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 3d, and 7th; the Committee on the Judiciary the 2d; the Committee on Circuit Courts the 4th and 10th; the Committee on Education the 5th; the Committee on Banks the 6th; the Committee on Revised Statutes the 8th and 9th, and the Committee on Finance the 11th, 12th, 13th, and 14th.

And then the Senate adjourned.

WEDNESDAY, JANUARY 13, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to incorporate the Barren River Bridge Company,

With an amendment.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act for the benefit of Uniontown.
2. An act for the benefit of Louisa J. Harris, of Catlettsburg.
3. An act for the benefit of John W. Howard, of Ballard county.
4. An act for the benefit of Joseph A. Foree, of Ballard county.

5. Resolution to test the constitutionality of a certain congressional enactment therein named and jurisdiction of the United States courts thereunder.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance, and the 2d, 3d, 4th, and 5th to the Committee on the Judiciary.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend the charter of the city of Covington.

By same—

A bill to incorporate the Louisville and New Orleans Transportation Company.

By same—

A bill to amend the charter of the Louisville Journal Company.

By Mr. Holt, from the same committee—

A bill to repeal so much of section 14, chapter 67, title "Mills," of Revised Statutes, as applies to the town of Salyersville, in Magoffin county.

By Mr. Lyttle, from the Committee on Privileges and Elections—

A bill to change the place of voting in Covington precinct, No. 4, in Warren county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, reported a bill to provide for the punishment of false swearing and subornation of perjury in certain cases.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and made the special order of the day for Saturday next, the 16th inst., at 11½ o'clock, A. M.

Mr. Webb offered the following resolution, viz:

Resolved, That the Senate Chamber be tendered to the Press Convention, for their use this day, at 12 o'clock, M.

Which was adopted.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom had been referred a bill to establish the county of Elliott, out of parts of Morgan, Lawrence, and Carter counties,

Reported the same without amendment.

Pending the consideration of which, the hour arrived for taking up a special order, viz: a bill from the House of Representatives, entitled

An act for the benefit of the common school system.

Pending the consideration of which, the hour arrived when, by resolution of the Senate, they had tendered the use of the Chamber to the Press Convention.

And then the Senate adjourned.

THURSDAY, JANUARY 14, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the resolution from the Senate, entitled

Resolution giving certain instructions to the Judiciary Committees of the two Houses of the General Assembly.

That they had passed a bill, entitled

An act for the benefit of Benoni Mills, late sheriff of Wayne county.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Finance.

A message was also received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in favor of Mrs. L. B. Helm.

Which was taken up, and made the special order of the day for Wednesday next, 20th inst., at 11 o'clock, A. M.

The Senate resumed the consideration of the unfinished report of yesterday from the Committee on Propositions and Grievances, it being a bill to establish the county of Elliott out of parts of Morgan, Lawrence, and Carter counties.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	W. C. Halbert,	W. H. Payne,
Jos. M Alexander,	G. A. C. Holt,	Philip Swigert,
Robert Boyd,	O. P. Johnson,	Harrison Thompson,
A. K. Bradley,	Henry C. Lilly,	A. C. Vallandingham,
Joseph H. Chandler,	W. Lindsay,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	John W. F. Parker,	I. C. Winfrey—22.
Joseph Gardner,		

Those who voted in the negative, were—

John B. Bruner,	Wm. A. Dudley,	I. T. Martin—4.
Lyttleton Cooke,		

Resolved, That the title of said bill be as aforesaid.

The Senate resumed the consideration of a bill from the House of Representatives, entitled

An act for the benefit of the common school system.

Pending the consideration of which bill, a message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	W. H. Payne,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,

A. K. Bradley,	G. A. C. Holt,	Harrison Thompson,
John G. Carlisle,	O. P. Johnson,	Oscar Turner,
Jos. H. Chandler,	W. Lindsay,	A. C. Vallandingham,
John B. Clarke,	D. Y. Lyttle,	W. L. Vories,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb—22.
Wm. A. Dudley,		

Those who voted in the negative, were—

Robert Boyd,	Joseph Gardner,	John W. F. Parker,
John B. Bruner,	W. C. Halbert,	I. C. Wintrey—8.
A. D. Cosby,	Henry C. Lilly,	

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Swigert, from the Committee on Religion—

An act for the benefit of the United Baptist Church at Lebanon.

By Mr. Bruner, from the Committee on Revised Statutes—

An act to amend chapter 61 of the Revised Statutes, title "Laws."

By Mr. Alexander, from the Committee on Internal Improvement—

An act to incorporate the Paris and Ruddle's Mill turnpike road company, No. 2.

By same—

An act to amend the charter of the Shelbyville and Bardstown turnpike road company.

By same—

An act to incorporate the Orangeburg and Tollsboro turnpike road company, in Mason county.

By same—

An act for the benefit of the Board of Internal Improvement for Scott county.

By same—

An act to amend the charter of the Mayslick and Sardis turnpike road.

By same—

An act to amend the charter of the Massie's Mill turnpike road company.

By same—

An act to amend an act, entitled "An act to amend the charter of the Mayslick and Helena turnpike road."

By same—

An act providing for a tax to assist in completing and building turnpike roads in Anderson county.

By same—

An act to extend the charter of the Blandville and Cairo Gravel road company to Mayfield, in Graves county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bruner, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend section 3, article 7, chapter 55, of the Revised Statutes,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Boyd, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Sanford M. Collins, of Mason county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The Governor of this Commonwealth, having received information, on which he relied, that William Brookover, a felon convicted in the Mason circuit court, but who had escaped from jail after the judgment of conviction was affirmed by the court of appeals, was in the northern part of Ohio, in the town of Findlay, did commission Sanford M. Collins, of Mason county, to proceed to Ohio and demand, arrest, and receive said felon and bring him back to Kentucky, to be confined in the Penitentiary under the said judgment of conviction; and whereas, said Collins did, under said commission of the Governor, in good faith proceed, with a proper assistant, to the northern part of Ohio for said felon, and resorted to diligent efforts to discover and arrest him; and whereas, it turned out that the information on which the Governor relied was gotten up by the friends of the felon, for purposes of deception, in order to enable said felon to escape detection and recapture; but said Collins, having acted in good faith, under said commission, as the agent of the State in said matter, and having necessarily expended in said business the sum of one hundred and ninety-three dollars and thirty-eight cents, it is deemed just that the State should reimburse him for said expenses; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred and ninety-three dollars and

thirty-eight cents be, and hereby is, allowed and ordered to be paid to Sanford M. Collins, for the money so necessarily expended by him in said business; and the Auditor is hereby ordered to draw his warrant on the Treasurer in favor of said Collins for said sum of one hundred and ninety-three dollars and thirty-eight cents, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	John W. F. Parker,
Jos. M. Alexander,	Evan M. Garriott,	W. H. Payne,
Robert Boyd,	W. C. Halbert,	Philip Swigert,
A. K. Bradley,	G. A. C. Holt,	H. Thompson,
John G. Carlisle,	O. P. Johnson,	Oscar Turner,
John B. Clarke,	Henry C. Lilly,	W. L. Vories,
Lyttleton Cooke,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	D. Y. Lyttle,	I. C. Winfrey—26.
Wm. A. Dudley,	I. T. Martin,	

In the negative—John B. Bruner.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Martin, from the Committee on Banks—

A bill to incorporate the Farmers' and Drovers' Bank.

By same—

A bill incorporating the Deposit Bank of Cynthiana.

By Mr. Cooke, from the same committee—

A bill to amend an act, entitled "An act to establish the Deposit Bank of Princeton, Kentucky."

By Mr. Halbert, from the Committee on Circuit Courts—

A bill for the benefit of the estate of A. H. Buckner, deceased.

By same—

A bill to protect small birds and game in Lewis county.

By Mr. Lindsay, from the Committee on County Courts—

A bill for the benefit of the town of Mt. Carmel, in Fleming county.

By Mr. Webb, from the Committee on Education—

A bill for the benefit of the Clark County Institute.

By Mr. Boyd, from the Committee on Finance—

A bill for the benefit of Samuel Ellis, sheriff of Lewis county.

By Mr. Chandler, from the Committee on Internal Improvement—

A bill for the benefit of the Schoolsville Branch of the Winchester Red River Iron Works turnpike road company.

By Mr. Cooke, from the Committee on Banks—

A bill to amend the charter of the Deposit Bank of Frankfort.

By Mr. Lindsay, from the Committee on County Courts—

A bill to amend the road laws so far as Hickman county is concerned.

By Mr. Turner, from the Committee on the Judiciary—

A bill to amend article 4, chapter 55, of Revised Statutes, entitled "Mode of Summoning Petit Jurors and Jury Commissioners."

By Mr. Turner, from the Committee on Executive Affairs—

A bill to incorporate the Paducah and Clark's River Railway, Lumber, Mining, and Manufacturing Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The last three named were amended.

Ordered, That said bills, the last three as amended, be engrossed and read a third time.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except that the title of that which relates to the county of Hickman be amended so as to read,

An act to amend the road laws so far as the counties of Hickman and Ballard are concerned.

Mr. Boyd, from the Committee on Finance, reported a bill for the benefit of James H. Hall, late sheriff of Powell county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, There was a judgment rendered in the Franklin circuit court, in 1868, against James H. Hall, sheriff of Powell county, and Thomas B. Hall, Malon Hall, and Joab Morton, his sureties, for one thousand and fifty-two dollars and eighty-four cents, for the revenue of said county for the year 1867, and damages thereon; and whereas, the said James H. Hall, as sheriff aforesaid, has fully paid into the Treasury of the State all of said judgment, with its costs and damages; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the two hundred and ten dollars in damages paid into the Treasury by the sheriff aforesaid be refunded, and the Auditor is hereby authorized to draw his warrant on the Treasury in favor of the said James H. Hall for said amount.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. C. Halbert,	W. H. Payne,
Robert Boyd,	G. A. C. Holt,	Philip Swigert,
Jos. H. Chandler,	O. P. Johnson,	Harrison Thompson,
Wm. A. Dudley,	Henry C. Lilly,	Oscar Turner,
Joseph Gardner,	W. Lindsay,	W. L. Vories,
Evan M. Garriott,	D. Y. Lyttle,	I. C. Winfrey—18.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Jno. G. Carlisle,	I. T. Martin,
A. K. Bradley,	John B. Clarke,	A. C. Vallandingham,
John B. Bruner,	A. D. Cosby,	Ben. J. Webb—9.

Mr. Bruner then moved to reconsider the vote by which the Senate had rejected said bill.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be placed in the orders of the day.

Mr. Lyttle, from the Committee on Privileges and Elections, reported a bill for the benefit of the Hon. W. H. Randall, judge of the 15th judicial district.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The dwelling-house of the Hon. G. Pearl, late judge of the 15th judicial district, was consumed by fire, and with it the books allowed by law, leaving the Hon. William H. Randall without such books; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State furnish the Hon. Wm. H. Randall with the public books allowed by law to circuit judges, and the Auditor will draw his warrant on the Treasurer for payment of the same.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. T. Martin,
Jos. M. Alexander,	Joseph Gardner,	J. W. F. Parker,
Robert Boyd,	Evan M. Garriott,	W. H. Payne,
A. K. Bradley,	W. C. Halbert,	Philip Swigert,
John G. Carlisle,	G. A. C. Holt,	H. Thompson,
Jos. H. Chandler,	O. P. Johnson,	Oscar Turner,
John B. Clarke,	Henry C. Lilly,	W. L. Vories,
Lyttleton Cooke,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	D. Y. Lyttle,	I. C. Winfrey—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration the following bills, viz:

1. A bill to authorize the Governor to subscribe, on behalf of the State, for stock in certain railroad companies, and to provide for paying the same.

2. A bill for the benefit of George C. Drane, judge of the 8th district.

Ordered, That the 1st be placed in the regular orders of the day, and the 2d be referred to the Committee on the Judiciary, with instructions to examine into the merits of the case.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change the line dividing Simpson and Logan counties;

An act to change the time of holding the quarterly courts and courts of justices of the peace for Taylor county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had ap-

proved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act to authorize the general council of Louisville to increase the salary of the judge of the Louisville chancery court and of the court of common pleas of Jefferson county, approved March 9, 1868.

An act changing the time of holding the quarterly courts and courts of justices of the peace for Taylor county.

Resolution in regard to employment of counsel in suit between this Commonwealth and the State of Missouri.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to charter the Metropolis and Union City railroad company,

Reported the same without amendment.

Ordered, That said bill be printed and made the special order of the day for the 25th inst.

Leave was given to bring in the following bills, viz:

On motion of Mr. Cooke—

1. A bill in relation to the revision and extension of the laws regulating testimony in the courts of this Commonwealth.

On motion of Mr. Martin—

2. A bill regulating the collection of tolls on turnpike roads and toll bridges under certain circumstances.

On motion of same—

3. A bill amending an act authorizing the subscribing of stock in turnpike roads.

On motion of Mr. Payne—

4. A bill for the benefit of the sureties of J. H. Butler, late sheriff of Allen county.

On motion of same—

5. A bill to amend section 3 of article 2 of chapter 32 of Revised Statutes.

On motion of Mr. Winfrey—

6. A bill for the benefit of C. T. Cheek, of Cumberland county.

On motion of Mr. Gardner—

7. A bill to amend an act, entitled "An act to incorporate the Mt. Sterling and Spencer Creek turnpike road company."

On motion of Mr. Boyd—

8. A bill to regulate the times of holding the circuit courts in the 15th judicial district.

On motion of same—

9. A bill for the benefit of William P. Evans, late sheriff of Laurel county.

On motion of Mr. Swigert—

10. A bill to authorize the State Treasurer to purchase for the use of his office a fire and burglar-proof safe.

On motion of same—

11. A bill to abolish the Board of Internal Improvement.

On motion of same—

12. A bill to transfer the locks and dams on the Kentucky river to the "Kentucky River Navigation Company."

On motion of same—

13. A bill to authorize the county court of Franklin county to subscribe for stock in the Kentucky River Navigation Company, to issue county bonds, and create a sinking fund to pay the same.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Internal Improvement the 2d, 7th, 11th, 12th, and 13th; the Committee on County Courts the 3d and 9th; the Committee on Finance the 4th, 6th, and 10th; the Committee on Revised Statutes the 5th, and the Committee on Circuit Courts the 8th.

And then the Senate adjourned.

FRIDAY, JANUARY 15, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to amend article 11, chapter 28, Revised Statutes.

That they had passed a bill from the Senate, entitled

An act to amend the charter of the city of Covington.

That they had passed bills of the following titles, viz:

1. An act to amend the penal and criminal laws of this State.

2. An act for the benefit of the trustees of the Methodist Episcopal Church of Madisonville.

3. An act to incorporate the German Evangelical Lutheran St. Paul Church of Paducah.

4. An act to authorize the trustees of the Baptist Church in Paris to sell and convey its lands, and to confirm a sale thereof made by them.

5. An act to incorporate the "Branch of the Widow's Son," at Red Hill, Allen county.

6. An act for the benefit of E. C. Atherton and Thomas Landrum, of McLean county.

7. An act for the benefit of Robt. McAllister, late sheriff of Greenup county.

8. An act for the benefit of the sureties in the revenue bond of Tho. H. Estis, sheriff of Hancock county for the year 1867.

9. An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

10. An act for the benefit of John W. Duncan, late sheriff of Wayne county.

11. An act for the benefit of Elijah Litton, late sheriff of Whitley county.

12. An act for the benefit of James Bartley, late sheriff of Monroe county.

13. An act for the benefit of F. M. Allison, late clerk of the Butler county and circuit courts.

14. An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

15. An act for the benefit of Henry Farmer, of Ballard county.

16. An act for the benefit of R. D. Cook, late sheriff of Rockcastle county.

17. An act for the benefit of James H. Reed, late sheriff of Metcalfe county.

18. An act for the benefit of H. S. Hale, sheriff of Graves county.

19. An act to amend the charter of the Shelby railroad company, and to authorize certain counties to take stock in the same.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 4th, and 5th to the Committee on the Judiciary; the 2d to the Committee on Religion; the 6th, 7th, 8th, 9th, 10th, 11th, 12th, 14th, 15th, 16th, 17th, and 18th to the Committee on Finance; the 13th to the Committee on Circuit Courts, and the 19th to the Committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act to incorporate a turnpike road company to construct a road from Pleasant Hill to the Boyle county line.

An act for the benefit of the common school system.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That the first of said bills do pass, and that the title thereof be as aforesaid.

The second of said bills reads as follows, viz:

[*For bill—see Session Acts*, 1869.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Lyttle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson), A. H. Field, D. Y. Lyttle,
Jos. M. Alexander, Joseph Gardner, Jno. W. F. Parker,

R. T. Baker, Evan M. Garriott, W. H. Payne,
Robert Boyd, W. C. Halbert, E. D. Standeford,
A. K. Bradley, G. A. C. Holt, Philip Swigert,
John B. Bruner, O. P. Johnson, Oscar Turner,
Jno. G. Carlisle, P. H. Leslie, A. C. Vallandingham,
Joseph H. Chandler, Henry C. Lilly, W. L. Vories,
John B. Clarke, W. Lindsay, I. C. Winfrey—28.
A. D. Cosby,

Those who voted in the negative, were—

Lyttleton Cooke, Ben. J. Webb—2.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Somerset.

An act to amend an act, entitled "An act to incorporate the Western Financial Corporation."

An act to change the line dividing Simpson and Logan counties.

Resolution in relation to firing a national salute.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Swigert, from the Committee on Finance—

An act for the benefit of the city of Frankfort.

By Mr. Carlisle, from the Committee on the Judiciary—

An act authorizing George C. Rogers, judge of the 4th judicial district, to sign the orders of the Muhlenburg circuit court at the December term, 1867, and May term, 1868.

By same—

An act for the benefit of Louisa J. Harris, of Catlettsburg.

By same—

An act for the benefit of Joseph A. Foree, of Ballard county.

By Mr. Turner, from the same committee—

An act for the benefit of John W. Howard, of Ballard county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to amend section 2, article 3, chapter 98, of the Revised Statutes;

An act to amend article 2, section 2, subsection 2, chapter 36, of the Revised Statutes;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had disagreed to the passage of a bill from the House of Representatives, entitled

An act for the benefit of John T. Thompson.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on Finance.

In pursuance of instructions, Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill to prohibit judges of circuit courts, courts of common pleas, and criminal courts, from practicing law, except in certain cases,

Reported the same with an amendment.

Sundry amendments were proposed.

Ordered, That said bill and proposed amendments be recommitted to the Committee on the Judiciary.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Bradley, from the Committee on the Codes of Practice—

1. A bill to amend section 636 of the Civil Code of Practice.

By Mr. Lindsay, from the Committee on County Courts—

2. A bill amending an act authorizing county courts to subscribe stock in turnpike roads, and for the benefit of Harrison county.

By Mr. Alexander, from the Committee on Internal Improvement—

3. A bill to amend the charter of the Bank Lick turnpike road company.

By Mr. Swigert, from the same committee—

4. A bill to authorize the county court of Franklin county to sub-

scribe for stock in the Kentucky River Navigation Company, to issue county bonds, and create a sinking fund to pay the same.

By Mr. Cooke, from the Committee on the Judiciary—

5. A bill to provide a mechanics' lien law for the city of Louisville and county of Jefferson.

By Mr. Bradley, from the Committee on Revised Statutes—

6. A bill to amend section 3 of article 2 of chapter 32 of Revised Statutes.

By Mr. Chandler, from the Committee on Internal Improvement—

7. A bill to amend an act, entitled "An act to incorporate the Mt. Sterling and Spencer Creek turnpike road company."

By same—

8. A bill regulating the collection of tolls on turnpike roads in going to church, funerals, &c.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and placed in the orders of the day; the 5th was ordered to be printed and made the special order of the day for Thursday next, the 21st inst., at 11 o'clock, A. M.; the 8th was referred to the Committee on the Sinking Fund, and the 2d, 3d, 4th, 6th, and 7th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Swigert, from the Committee on Finance, reported a bill to authorize the State Treasurer to purchase for the use of his office a fire and burglar-proof safe.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the present State Treasurer be, and he is hereby, authorized to purchase for the use of his office a suitable fire and burglar-proof safe.

§ 2. That the Auditor of Public Accounts be directed to issue his warrant on the Treasurer for the price of the same.

§ 3. That the Treasurer dispose of the safe now in his office for the best price he can procure, and that he pay the price obtained into the Treasury.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	John W. F. Parker,
Jos. M. Alexander,	W. C. Halbert,	W. H. Payne,
Robert Boyd,	G. A. C. Holt,	E. D. Standeford,
A. K. Bradley,	O. P. Johnson,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	H. Thompson,
John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
John B. Clarke,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	D. Y. Lyttle,	Ben. J. Webb,
A. H. Field,	I. T. Martin,	I. C. Winfrey—28.
Joseph Gardner,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Bruner, from the Committee on Revised Statutes, reported a bill for the benefit of Magoffin county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The county court of Magoffin county, through the disorganization of the country caused by the late war, failed, for over twelve months, to be furnished with duplicate weights, measures, and balances, as required by law; for remedy therefor,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State shall furnish the said county of Magoffin with duplicate weights, measures, and balances, now in the custody of the Secretary of State, and as established by law; and upon the written certificate of the Secretary of State of the cost of such duplicates, the Auditor shall draw his warrant on the Treasury for the cost thereof.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. Lindsay,
Jos. M. Alexander,	A. H. Field,	I. T. Martin,
R. T. Baker,	Joseph Gardner,	W. H. Payne,
Robert Boyd,	W. C. Halbert,	E. D. Standeford,
A. K. Bradley,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	O. P. Johnson,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
John B. Clarke,	Henry C. Lilly,	I. C. Winfrey—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill to provide for the transfer of cases from courts of common pleas to circuit courts, and from circuit courts to courts of common pleas, in certain cases,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act to provide for the payment of certain claims for work and labor done, materials furnished, and other expenses incurred on the Green and Barren and Kentucky rivers;

And an enrolled resolution, which originated in the Senate, entitled

Resolution giving certain instructions to the Judiciary Committees of the two Houses of the General Assembly;

And had found the same truly enrolled.

Said bill and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Turner—

1. A bill to invite and promote emigration to the Commonwealth of Kentucky.

On motion of Mr. Lyttle—

2. A bill for the benefit of Leslie Johnson, late sheriff of Letcher county.

On motion of Mr. Bruner—

3. A bill to amend the Civil Code of Practice, title 5, section 106.

On motion of Mr. Swigert—

4. A bill for the benefit of W. V. N. Bradford, late sheriff of Scott county.

On motion of Mr. Holt—

5. A bill for the benefit of the Murray Academy.

On motion of same—

6. A bill for the benefit of J. W. Furgeson.

On motion of same—

7. A bill to charter Calloway Lodge, No. 104, of Good Templars.

On motion of Mr. Leslie—

8. A bill for the benefit of J. P. Nuckols, clerk of the Barren county court.

On motion of Mr. Martin—

9. A bill making the Harrison Democrat a legally authorized newspaper.

On motion of Mr. Winfrey—

10. A bill to establish an additional justices' district in Adair county.

On motion of Mr. Lilly—

11. A bill for the benefit of John French, late sheriff of Powell county.

On motion of same—

12. A bill for the benefit of Curtis Jett, of Breathitt county.

On motion of Mr. Standeford—

13. A bill to incorporate Mozart Lodge, No. 149, Independent Order of Odd Fellows, at Louisville, Kentucky.

On motion of Mr. Field—

14. A bill incorporating Butler Lodge, No. 194, of Free and Accepted Masons, Bullitt county, and legalizing, on the part of said lodge, a conveyance made to it.

On motion of same—

15. A bill to amend the charter of Bardstown.

On motion of Mr. Clarke—

16. A bill to amend the charter of the city of Augusta, in Bracken county.

On motion of Mr. Lindsay—

17. A bill to incorporate the Southwest Kentucky Mutual and Benevolent Life Insurance Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 5th, 6th, 13th, 14th, 16th, and 17th; the Committee on Finance the 2d, 4th, 11th, and 12th; the Committee on the Codes of Practice the 3d; the Committee on Religion the 7th and 9th; the Committee on County Courts the 8th and 10th, and the Committee on Circuit Courts the 15th.

The following petitions were presented, viz:

By Mr. Chandler—

1. The petition of sundry citizens of Adair county, praying a change in the boundary lines between Adair and Taylor counties.

By Mr. Lindsay—

2. The petition of sundry citizens of the town of Clinton, praying that the power to grant tavern licenses be vested in the trustees of said town.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on County Courts.

And then the Senate adjourned.

SATURDAY, JANUARY 16, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend an act to levy a tax to aid in building turnpike roads in Lewis county."

That they had passed bills of the following titles, viz:

1. An act to establish a State House of Reform for Juvenile Delinquents.

2. An act to incorporate the Pendleton and Washington turnpike company.

3. An act to create a special road law for Pendleton county.

4. An act to amend the charter of the Harmony and Fork turnpike road company.

5. An act for the benefit of the Mount Sterling and Irvine turnpike company.

6. An act chartering the Cassady Creek turnpike road company, in Nicholas and Bath counties.

7. An act to incorporate the Rich Grove turnpike road company, in Christian county.

8. An act to incorporate Lebanon Female College.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 8th to the Committee on Education, and the 2d, 3d, 4th, 5th, 6th, and 7th to the Committee on Internal Improvement.

On motion, leave of indefinite absence was granted to Messrs. Lyttle and Cooke.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Field, from the Committee on Circuit Courts—

A bill to amend the charter of the town of Bardstown.

By Mr. Halbert, from the same committee—

A bill to amend and reduce into one all acts in regard to the town of Concord, in Lewis county.

By Mr. Lindsay, from the Committee on County Courts—

A bill for the benefit of Jas. P. Nuckols, clerk of the Barren county court.

By Mr. Leslie, from the Committee on Finance—

A bill for the benefit of W. T. V. Bradford, late sheriff of Scott county.

By Mr. Cooke, from the Committee on the Judiciary—

A bill to incorporate Mozart Lodge, No. 149, Independent Order of Odd Fellows, at Louisville.

By Mr Martin, from the Committee on Religion.

A bill making the Harrison Democrat a legally authorized newspaper.

By Mr. Field, from the Committee on Circuit Courts—

A bill changing the time of holding the Bullitt circuit court.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Turner, from the Committee on the Judiciary, reported a bill to protect the owners of timber from rafting thieves and other depredators.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Parker moved an amendment to said bill.

Ordered, That said bill and proposed amendment be printed, and made the special order of the day for Friday next, 22d inst., at 11 o'clock, A. M.

Mr. Martin, from the Committee on Religion, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the trustees of the Methodist Episcopal Church of Madisonville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled

An act to incorporate the Barren River Bridge Company.

Which amendments were twice read and concurred in.

Said bill, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby incorporated a Bridge Company by the name and style of "The Barren River Bridge Company," for the purpose of building and constructing a bridge across Barren river, on the turnpike road which leads from Bardstown to Nashville, Tennessee. The capital stock of said company shall be twenty thousand dollars, to be divided into shares of fifty dollars each.

§ 2. The books for subscription of stock shall be opened by John J. Gatewood and John H. Collins, at Scottsville, in Allen county, and by James G. Page, John T. Rogers, John F. Jewell, and Joseph H. Lewis, in Glasgow, Barren county, on the first day of March, 1869, and at such other times and places as any three of said commission may designate by written advertisements first posted up in three public places ten days. The subscribers of stock shall sign their names to a writing in said books, as follows: "We, whose names are hereto subscribed, promise to pay to the president and directors of the Barren River Bridge Company the sum of fifty dollars, for each share of stock in said company attached to our names, at such time and place as they may order and direct. Witness our hands this——day of——, 18—: That said company may, and they are hereby permitted, to build said bridge upon, and to use the abutments and pillars at said crossing of said river now owned by the State of Kentucky; and there is hereby appropriated and subscribed by the State of Kentucky, to the capital stock of said company, five thousand dollars; and the Auditor of Public Accounts is directed to draw his warrant therefor upon the Treasurer in favor of the president of said company, and the same shall be paid by said Treasurer: *Provided, however*, Said warrant shall not be drawn and delivered till there is a sum sufficient, in addition thereto, subscribed and paid into said company, by an individual or individuals, to finish and complete said bridge, including the cost of its covering in; which fact of subscribing and paying in of said sum shall be certified to said Auditor by the judges of the Barren and Allen county courts, under their hands and seals of office, and when so certified, it shall be sufficient evidence to the Auditor to issue his warrants aforesaid.

§ 3. That the county court of Barren county, a majority of the justices of the peace of said county concurring therein, and the county court of Allen county, a majority of the justices of the peace of said county concurring therein, may, at any time, subscribe such amount of stock in said company as either of them may deem proper, not ex-

ceeding twenty-five hundred dollars for each county; and the same shall be entered at large upon the record of said courts; and when so subscribed by either court, it shall be a debt against the county, and shall be levied and collected as other levies upon said county: *Provided, however*, Not more than one half of the sum so levied shall be collected in any one year.

§ 4. So soon as one thousand dollars of the stock is subscribed, the stockholders shall be convened at Glasgow, in Barren county, upon ten days' public notice, and under the supervision of some three of said commissioners, an election shall be held—each share of stock casting one vote—for president and three directors, each of whom must be a stockholder in said company. They shall hold their office till the first Saturday in April, 1870, when an election shall again be held at said town for their successors; and every first Saturday in April, in each year, a new election shall be held to fill said offices; *Provided, however*, Each of said officers shall take and subscribe an oath, which shall be recorded in the books of said company, that they will, to the best of their judgment and ability, faithfully perform all the duties of their said offices; and they shall continue to act till their successors are duly qualified. They shall appoint a treasurer and clerk, who shall also take a like oath, to be recorded as aforesaid; and the treasurer shall give bond, with good security, to be approved by the board, in a sum of at least twenty-five thousand dollars, conditioned that he will faithfully perform all the duties of his said office, and pay over all moneys which shall come to his hands as such, in obedience to the orders of said board; and for a violation of his bond, he may be proceeded against, with his securities, by motion or suit in the circuit court of any county in this Commonwealth, as sheriffs may now be proceeded against for failing to pay over money collected on execution.

§ 5. The said company shall be a body-corporate and politic, under the name of "The Barren River Bridge Company;" and in that name may sue and be sued, plead and be impleaded; and may have and use a common seal; and shall have perpetual succession.

§ 6. When said bridge is so far finished as that it is safe for wagons and other vehicles to pass and be drawn over it, it shall be the duty of said company to allow them to pass; but the company shall provide a bridge-keeper, to be and at all times to remain there; and shall exact and collect such rates of toll for each horse, mule, head of cattle, footman, wagon, buggy, and carriage, of every description, that shall pass over said bridge, the rates following: Each footman, five cents; each horse and rider, ten cents; each led or loose horse, five cents; each head of loose cattle, sheep, hogs, or goats, two cents; each one-horse buggy and horse, thirty cents; each two-horse wagon or carriage, with two horses attached, fifty cents; each wagon with four horses attached, sixty cents; each wagon with three horses attached, fifty-five cents; each wagon, with five horses attached, sixty-five cents; each wagon with six horses attached, seventy-five cents: *Provided, however*, That when a wagon or other vehicle is drawn by oxen, each ox shall be the same as a horse in this tariff; each cart with one horse, fifteen cents; each cart with two horses,

twenty cents; but no charge shall be made for the driver or load upon any wagon, buggy, or carriage.

§ 7. The said bridge-keeper shall take an oath, to be recorded in said book, that he will truly and faithfully carry out and execute the duties of bridge-keeper under this act, and truly and honestly account for and pay over to said company all moneys received by him for toll aforesaid; and said company shall require him to give bond, with good security, conditioned to account for and pay to said company all moneys received by him as bridge-keeper aforesaid, at such time and place as they shall require; and, for a violation of his bond, he and his security shall be liable, by motion or suit, in the circuit or quarterly court, and may be proceeded against as sheriffs can be proceeded against for money collected on executions, and subject to like recoveries.

§ 8. It shall be the duty of the president of said company to render, under oath, a true and full statement of the receipts and disbursements of said company to the Auditor of Public Accounts, on or before the 10th day of January of each year; and all the receipts of said company for tolls, which shall remain, after paying said bridge-keeper, and necessary repairs, and costs of carrying on the business of said company, shall be paid by said president into the Treasury of the State, on the 10th day of January of each year; and the Treasurer shall give a receipt therefor, which shall be recorded in the books of said company; and when said receipts to the State shall amount to $5,000, then, from and after that time, the net incomes of the company shall be equally divided, and paid to the stockholders in said company according to their shares of stock—the State being one stockholder to the amount aforesaid of $5,000; and her dividends shall be paid into the Treasury as aforesaid.

§ 9. The said company shall have power to make such rules and regulations, prohibiting or permitting any and all persons traveling said road from crossing said river, otherwise than upon said bridge, for two hundred yards above and below the same; and when any person shall leave said road and cross the river above or below said bridge, to avoid paying toll, within the distance aforesaid, such person may be proceeded against by common warrant, before a justice of the peace, by said company, and compelled to pay four times the toll it would have cost to cross on the bridge; and it shall be the duty of said company and said bridge-keeper so to prosecute such person, in every instance, and collect the same; and, for the purpose of effectuating this provision, any justice of the peace may issue his warrant against such offender, and the same may be served and set for trial immediately, and the justice shall hear and adjudicate the same at once, without waiting until his regular term: *Provided, however*, Said company may make contracts with resident citizens and families, living within five miles of said bridge, to pass over said bridge at such price per year, or for six months, as the company may deem just and proper.

§ 10. This act to take effect from its passage.

The Senate also took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Cairo Junction railroad company.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration a bill from the House of Representatives, entitled

An act to repeal the 6th section of an act approved 6th of February, 1854, entitled "An act to amend the charter of the Covington and Lexington railroad company, and to alter the rates of freight therein charged."

Ordered, That said bill be referred to the Committee on the Judiciary.

The Senate also took up for consideration a bill to provide for the punishment of false swearing and subornation of perjury, in certain cases.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any person shall, within this Commonwealth, willfully and knowingly swear or affirm, depose or give in evidence, that which is untrue and false, in any case of a contested election for the office of Senator or Representative from this State in the Congress of the United States, or before any committee appointed by the Congress of the United States, or either branch thereof, for the purpose of inquiring into the qualifications or eligibility of any person returned as elected from this State to the Senate or House of Representatives of the United States; or shall willfully and knowingly state that which is untrue and false in any affidavit or deposition used, or intended to be used, before the Congress of the United States, or either branch thereof, or any committee appointed thereby, touching or relating to the qualifications or eligibility of any person returned as elected from this State to the Senate or House of Representatives of the United States, the person so offending shall, upon conviction, be confined in the penitentiary for a period of not less than two nor more than six years, and be forever thereafter disqualified from giving evidence in any judicial proceeding, and from being a witness in any case or matter whatever.

§ 2. That if any person shall unlawfully and corruptly cause or procure another, by any means whatever, to commit the offense or offenses described in the preceding section, he shall be guilty of sub-

ornation of perjury, and, upon conviction thereof, shall be subject to the same punishment and disqualifications therein provided.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thompson and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	W. H. Payne,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	Evan M. Garriott,	Philip Swigert,
R. T. Baker,	G. A. C. Holt,	Harrison Thompson,
A. K. Bradley,	O. P. Johnson,	Oscar Turner,
John B. Bruner,	P. H. Leslie,	A. C. Vallandingham,
Jno. G. Carlisle,	Henry C. Lilly,	W. L. Vories,
John B. Clarke,	W. Lindsay,	Ben. J. Webb,
Lyttleton Cooke,	I. T. Martin,	I. C. Winfrey—28.
A. D. Cosby,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 16, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

John S. Carpenter, of Jefferson county.
Sam. E. English, of Jefferson county.
R. J. Rankin, of Jefferson county.
R. H. Courtney, of Jefferson county.
Henry A. Schaeffer, of Jefferson county.
J. W. Root, of Jefferson county.
John E. Hamilton, of Kenton county.
J. M. Tisdale, of Kenton county.
Fred. W. Wise, of Kenton county.
J. D. Elliott, of Nelson county.
Henry Beeler, of Nelson county.
Jake Rice, of Lawrence county.
W. H. Payne, of Warren county.
R. Tarvin Baker, of Campbell county.
A. G. Caruth, of Christian county.
James M. Corbin, of Boone county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax;"

Resolution requesting the Governor to return certain bills;

And an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the city of Covington;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Cooke, from a select committee appointed to investigate the condition of the insurance companies of this State, made a report in writing, which was ordered to be printed and placed in the orders of the day.

[*For Report—see Legislative Document No. 7.*]

Mr. Winfrey presented the remonstrance of sundry citizens of Adair county, remonstrating against any change in the Adair and Taylor county line.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—

1. A bill to amend the charter of the Bardstown and Bloomfield turnpike road company.

On motion of same—

2. A bill to repeal section 3 of an act, entitled "An act to rebuild the bridges on the Bardstown and Louisville turnpike road."

On motion of Mr. Gardner—

3. A bill for the benefit of the administrator of R. T. Davis, late surveyor of Breathitt county.

On motion of Mr. Martin—

4. A bill authorizing the trustees of the Methodist Church in Cynthiana to sell their church and lot, and reinvest the same.

On motion of Mr. Standeford—

5. A bill to regulate the fees of circuit court clerks in certain cases.

On motion of same—

6. A bill to amend the charter of the Louisville and Harrodsburg and Virginia railroad company.

On motion of same—

7. A bill to incorporate the Southwestern Transportation Association.

On motion of Mr. Payne—

8. A bill providing a janitor for Warren county court-house.

On motion of Mr. Leslie—

9. A bill for the benefit of the Metcalfe county court.

On motion of Mr. Vallandingham—

10. A bill to enable Simpson county to construct macadamized and other roads in the county of Simpson.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 2d, 6th, and 10th; the Committee on the Judiciary the 3d and 7th; the Committee on Religion the 4th; the Committee on Circuit Courts the 5th, and the Committee on County Courts the 8th and 9th.

And then the Senate adjourned.

MONDAY, JANUARY 18, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to re-enact and continue in force the 1st and 2d sections of an act to amend section 3 of article 6, chapter 27, of the Revised Statutes, approved February 22, 1865.

An act to provide for the transfer of cases from courts of common pleas to circuit courts, and from circuit courts to courts of common pleas, in certain cases.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Shelby circuit court.

2. An act increasing the powers and jurisdiction of the constable of the 1st district, in Larue county.

3. An act to amend an act approved 9th March, 1868, entitled "An act to fix the time for holding the circuit, criminal, and equity courts in this Commonwealth.

4. An act for the benefit of E. T. Fish, late clerk of the Rockcastle circuit and county courts, and of James P. Chambers, late clerk of the Jefferson circuit court.

5. An act for the benefit of the clerk of the Nicholas circuit court.

6. An act for the benefit of John H. Allison, late sheriff of Lawrence county.

7. An act for the benefit of Evan E. Settle.

8. An act for the benefit of Franklin Lodge, No. 7, Independent Order of Odd Fellows.

9. An act for the benefit of C. S. Abell, late clerk of the Mercer county court.

10. An act for the benefit of the Mercer circuit court.

11. An act to incorporate Cloverport Cemetery Company.

Which bills were taken up, severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, and 5th to the Committee on Circuit Courts; the 2d and 11th to the Committee on Revised Statutes; the 4th, 6th, 9th, and 10th to the Committee on Finance, and the 7th and 8th to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to establish an additional district and election precinct in Simpson county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Leslie, from the Committee on Finance—

An act to allow James E. Wright, late clerk of the Logan circuit and county courts, further time to collect his fee bills.

By same—

An act for the benefit of John M. Duke, jr., late clerk of the Mason circuit court.

By Mr. Alexander, from the Committee on Internal Improvement—

An act to amend the charter of the Harmony and Fork turnpike road company.

By same—

An act chartering the Cassady Creek turnpike road company, in Nicholas and Bath counties.

By same—

An act to incorporate the Rich Grove turnpike road company, in Christian county.

By same—

An act for the benefit of the Mt. Sterling and Levee turnpike road company.

By same—

An act to create a special road law for Pendleton county.

By same—

An act to incorporate the Pendleton and Washington turnpike road company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to re-enact an act to fix the fees of sheriffs, approved February 4, 1865;

An act for the benefit of Elijah Litton, late sheriff of Whitley county;

Reported the same without amendment.

Ordered, That said bills be read a third time.

The first of said bills was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Parker, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Evan M. Garriott,	John W. F. Parker,
F. M. Allison,	W. C. Halbert,	W. H. Payne,
R. T. Baker,	G. A. C. Holt,	E. D. Standeford,
Robert Boyd,	O. P. Johnson,	Philip Swigert,
Jos. H. Chandler,	P. H. Leslie,	Harrison Thompson,
A. D. Cosby,	Henry C. Lilly,	W. L. Vories,
A. H. Field,	W. Lindsay,	I. C. Winfrey—22.
Joseph Gardner,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John G. Carlisle,	I. T. Martin,
A. K. Bradley,	John B. Clarke,	A. C. Vallandingham,
John B. Bruner,	Wm. A. Dudley,	Ben. J. Webb—9.

The second of said bills was then read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	W. H. Payne,
Jos. M Alexander,	A. H. Field,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
Robert Boyd,	Evan M. Garriott,	Harrison Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Joseph H. Chandler,	W. Lindsay,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb—26.
A. D. Cosby,	John W. F. Parker,	

Those who voted in the negative, were—

R. T. Baker,	O. P. Johnson,	I. C. Winfrey—5.
John B. Bruner,	Henry C. Lilly,	

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of J. C. Calhoun, sheriff of McCracken county;

An act for the benefit of James Patton, late clerk of the Bourbon circuit court;

Reported the same without amendment.

Ordered, That each of said bills be recommitted to the Committee on Finance, with instructions to report a general bill on the subject-matter referred to in said bills.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Field, from the Committee on Circuit Courts—

A bill regulating the time of holding the circuit courts in the 15th judicial district.

By Mr. Leslie, from the Committee on Finance—

A bill to authorize the sale of that part of the turnpike road leading from Hardinsville to Lawrenceburg as lies in the county of Franklin.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to repeal section 3 of an act, entitled "An act to rebuild the bridges on the Bardstown and Louisville turnpike road."

By same—

A bill to amend an act incorporating the Bardstown and Bloomfield turnpike road company.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend the charter of the Covington and Cincinnati Bridge Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of the sureties of J. H. Butler, late sheriff of Allen county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Judgment was obtained in the Franklin circuit court against J. H. Butler, late sheriff of Allen county, and against Uriah Porter and others, as his sureties, for the sum of $7,193 39 and damages, $1,438 67; and whereas, said sureties have paid off and discharged the whole of said judgment, and interest and cost thereon, except the damages aforesaid; and whereas, they have also paid $100 of said damages as attorney's fee in the case, leaving $1,338 67 of said damages yet unpaid; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said sureties be, and they are hereby, released from the payment of the remainder of said damages.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	W. Lindsay,
Jos. M. Alexander,	Joseph Gardner,	Jno. W. F. Parker,
F. M. Allison,	Evan M. Garriott,	W. H. Payne,
Robert Boyd,	W. C. Halbert,	Philip Swigert,
A. K. Bradley,	G. A. C. Holt,	Harrison Thompson,
Jno. G. Carlisle,	O. P. Johnson,	W. L. Vories,
Jos. H. Chandler,	P. H. Leslie,	I. C. Winfrey—23.
A. D. Cosby,	Henry C. Lilly,	

Those who voted in the negative, were—

John B. Bruner, A. C. Vallandingham, I. T. Martin—4.
John B. Clarke,

Resolved, That the title of said bill be as aforesaid.

Mr. Swigert, from the Committee on Internal Improvement, reported a bill to abolish the Board of Internal Improvement.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed and made the special order of the day for the 20th inst., at 11½ o'clock, A. M.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill to prohibit judges of circuit courts, courts of common pleas, and criminal courts, from practicing law, except in certain cases,

Reported the same, with an amendment as a substitute for the original bill and the proposed amendments.

Said substitute was proposed to be amended.

Ordered, That said bill, together with all the amendments proposed, be printed, and made the special order of the day for Saturday next, the 23d inst., at 11 o'clock, A. M.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act to incorporate the Cairo Junction railroad company;

And an enrolled bill, which originated in the Senate, entitled

An act to provide for the change of cases from courts of common pleas to circuit courts, and from circuit courts to courts of common pleas, in certain cases;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Baker—

1. A bill to amend the 86th chapter of the Revised Statutes.

On motion of same—

2. A bill to amend the charter of the Odd Fellows' Hall, in the city of Newport.

On motion of same—

3. A bill to amend the charter of the Twelve-mile Bridge Company, of Campbell county.

On motion of Mr. Field—

4. A bill for the benefit of C. G. Wintersmith, late judge of the late court of common pleas in the 5th judicial district.

On motion of same—

5. A bill to incorporate the Blue Lick turnpike road company, in Bullitt and Jefferson counties.

On motion of Mr. Bradley—

6. A bill for the benefit of Wm. M. Rhea, of Hopkins county.

On motion of Mr. Martin—

7. A bill relieving sheriffs of this Commonwealth from all damages on failure to collect the revenue of the State.

On motion of same—

8. A bill for the benefit of the administrator of James F. Ware, late clerk of the Harrison circuit court.

On motion of Mr. Dudley—

9. A bill to amend the charter of the city of Lexington.

On motion of Mr. Vories—

10. A bill to charter the Shelby and Henry railroad company.

On motion of Mr. Carlisle—

11. A bill to incorporate the Covington Building Association.

On motion of Mr. Lindsay—

12. A bill for the benefit of the sureties of Wm. Herrin, late sheriff of Fulton county.

On motion of Mr. Leslie—

13. A bill to fix the corporate boundary of the town of Cave City, in Barren county.

On motion of Mr. Holt—

14. A bill to empower the county of Calloway to change the road from Canton, via Murray, to Hickman.

On motion of same—

15. A bill to prevent the destruction of fish in the Tennessee river and its tributaries.

On motion of Mr. Payne—

16. A bill to amend and reduce into one the mechanics' lien laws for Warren county.

On motion of Mr. Gardner—

17. A bill for the benefit of R. L. Cooper and others, security of W. J. Coffee, late sheriff of Magoffin county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 4th, 9th, 11th, and 15th; the Committee on County Courts the 3d and 13th; the Committee on Internal Improvement the 5th and 10th; the Committee on Finance the 6th, 7th, 12th, and 17th; the Committee on Religion the 8th; the Committee on Propositions and Grievances the 14th, and the Committee on Revised Statutes the 16th.

The following petitions were presented, viz:

By Mr. Payne—

1. The petition of grand jurors of Butler county, asking the distribution of certain funds among the school districts in said county.

By Mr. Lindsay—

2. Petition of sundry citizens of the town of Moscow, asking for an extension of the boundary of said town, and for authority to elect certain officers therein.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on County Courts.

Mr. Dudley offered the following resolution, viz:

Resolved, That so much of the Governor's message as refers to a revision of the revenue laws be referred to the Committee on Finance, with instructions to prepare and report a bill providing for the appointment by the Governor of three commissioners, whose compensation shall be fixed by the bill, and whose duty it shall be to prepare and report to the next General Assembly a revision of the entire revenue laws of this Commonwealth, with such amendments and improvements therein as they may deem advisable.

Which was adopted.

And then the Senate adjourned.

TUESDAY, JANUARY 19, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the benefit of the county court of Nelson county.

An act authorizing the Muhlenburg county court to levy a tax, and to increase the county levy of said county.

An act to authorize the Hancock county court to appropriate the excess of county levy for the year 1867 to the payment of the deficiency in the court-house fund for the year 1868.

An act for the benefit of Butler county.

An act to authorize the county court of Wolfe county to levy a tax and increase the county levy.

An act to authorize the trustees of the town of Rumsey to sell the public grounds in said town.

That they had passed bills of the following titles, viz:

1. An act for the benefit of C. A. Wandelohr, late clerk of the Pendleton circuit court.

2. An act for the benefit of W. S. Thomas, late sheriff of Hancock county.

3. An act for the establishment of a pauper-house in Hancock county.

4. An act for changing the days of holding quarterly court in Webster county.

5. An act authorizing the county court of Pendleton county to close certain alleys upon the public grounds.

6. An act for the benefit of Silas Green, administrator of Tho. H. Barnes, deceased, late clerk of the Madison county court.

7. An act to change the time of holding the Woodford county court, and providing for the holding of the court of claims for Woodford county.

8. An act for the benefit of R. W. Wilson, clerk of the Crittenden county court.

9. An act to legalize the proceedings of the Boone county court at its October term, 1868, and its January term, 1869.

10. An act to amend an act, entitled "An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes.

11. An act to repeal an act, entitled "An act to change the time of holding justices of the peace courts in Washington county," approved 9th of March, 1868, and to fix the time of holding the same.

12. An act for the benefit of J. C. Burchett, late sheriff of Clinton county.

13. An act for the benefit of J. L. Davis, former sheriff of McLean county.

14. An act for the benefit of the court of claims of Clinton county.

15. An act authorizing the county court of Graves county to sell the poor-house and lands, and to invest the proceeds thereof.

16. An act to authorize the county court of Crittenden county to levy an additional tax.

17. An act for the benefit of the Crittenden county court.

18. An act for the benefit of the McCracken county court.

19. An act for the benefit of T. W. Shackleford, of McLean county.

20. An act for the benefit of Wm. Lykins, judge of the Morgan county and quarterly courts.

21. An act for the benefit of J. A. Munday, late clerk of the Hancock circuit court.

22. An act to amend an act, entitled "An act to authorize the county court of Scott county to increase the county levy," &c., approved February 27, 1867.

23. An act to change the time of holding the civil terms of the police court of Elizabethtown.

24. An act to authorize the Boyd county court to make a road from Catlettsburg to the Lawrence county line.

25. An act to amend the charter of the town of Catlettsburg.

26. An act for the benefit of the personal representatives of John McGuire, deceased.

27. An act for the benefit of Boyd county.

28. An act to change the time of holding the county and quarterly courts of Pike county.

29. An act for the benefit of T. C. Duerson, late sheriff of Cumberland county.

30. An act for the benefit of Wm. M. Fish, late clerk of the Rockcastle county court.

31. An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," as applies to the counties of Boyd, Lawrence, Johnson, Floyd, and Pike.

32. An act for the benefit of John A. Wilson, clerk of the Fulton county court.

33. An act to change the place of voting in district No. 7, Floyd county.

34. An act to regulate the time of holding county and quarterly courts in Jackson county.

35. An act to increase the jurisdiction of justices of the peace in civil district No. 4, in Fulton county.

36. An act to prevent any practicing lawyer from acting as trustee of the jury fund in any court in which he practices law.

37. An act to amend an act, entitled "An act fixing the time for holding the circuit, criminal, and equity courts of this Commonwealth."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 6th, 12th, 13th, 19th, 21st, 26th, 29th, 30th, and 32d to the Committee on Finance;

the 3d and 31st to the Committee on Revised Statutes; the 4th, 5th, 7th, 8th, 9th, 10th, 11th, 14th, 15th, 16th, 17th, 18th, 20th, 22d, 23d, 24th, 27th, 28th, 34th, and 35th to the Committee on County Courts; the 25th and 36th to the Committee on the Judiciary; the 33d to the Committee on Privileges and Elections, and the 37th to the Committee on Circuit Courts.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act incorporating the Danville and Pleasant Hill turnpike, approved 11th of February, 1854.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle moved to reconsider the vote by which the Senate on yesterday passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of the Mt. Sterling and Levee turnpike road company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Internal Improvement.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Turner, from the Committee on the Judiciary—

An act for the benefit of W. W. Hancock, marshal of the town of Greenville.

By same—

An act to amend the penal and criminal laws of this State.

By Mr. Holt, from the same committee—

An act to authorize the trustees of the Baptist Church in Paris to sell and convey its lands, and to confirm a sale thereof made by them.

By Mr. Webb, from the Committee on Education—

An act to incorporate Lebanon Female College.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of E. C. Atherton and Thomas Landram, of McLean county.

By Mr. Vories, from the same committee—

An act for the benefit of James Bartley, late sheriff of Monroe county.

With an amendment to the last named bill.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except that the title of the last named bill be amended so as to read,

An act for the benefit of the sureties of James Bartley, late sheriff of Monroe county.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Benoni Mills, late sheriff of Wayne county,

Reported the same, with sundry amendments.

Which were adopted.

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	W. H. Payne,
Jos. M. Alexander,	A. H. Field,	I. A. Spalding,
F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
R. T. Baker,	G. A. C. Holt,	A. C. Vallandingham,
Robert Boyd,	O. P. Johnson,	W. L. Vories,
A. K. Bradley,	P. H. Leslie,	Ben. J. Webb,
Joseph H. Chandler,	Henry C. Lilly,	I. C. Winfrey,
John B. Clarke,	I. T. Martin,	C. T. Worthington—26.
A. D. Cosby,	John W. F. Parker,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, asked to be discharged from the further consideration of a leave to them referred to bring in a bill for the benefit of the sheriff of Pulaski county.

Which was granted.

Mr. Dudley moved that the following proceedings of the city council of Lexington be spread upon the records of the Senate, viz:

LEXINGTON, KY., Thursday, January 14, 1869.

At a called meeting of the city council last night, there were present, His Honor the Mayor and Messrs. Darnaby, Farrell, Kelly, Lovell, Mays, Morgan, Standeford, Trapp, and West.

Mr. Standeford asked leave and offered the following resolutions, which were adopted, viz:

WHEREAS, The removal of the Capital is again being agitated; and whereas, the Governor of the State has recommended in his message to the Legislature an appropriation for the purpose of improving the old building known as the Capitol building.

1. *Resolved*, That we unanimously tender to the Legislature the same proposition that was made them through a former council, and would respectfully call the attention of the Legislature to the many advantages that our beautiful, healthy, and prosperous city has over other places that have been mentioned in connection with the removal of the Capital.

2. *Resolved*, That our Senator, W. A. Dudley, and Representative, Gen. Wm. Preston, be requested to bring this subject before their respective bodies at as early period as possible.

On motion, the mayor was authorized to proceed to Frankfort and lay before the Legislature the proposition of the city, which is $50,000 for a Governor's Mansion and the grounds of Transylvania University.

Which was granted.

Mr. Parker moved the following resolution, viz:

Resolved, That the use of the Senate Chamber be tendered to the State Agricultural Society on to-morrow, after 12 o'clock, M.

Which was adopted.

Mr. Leslie, from the Committee on Finance, asked to be discharged from the further consideration of a petition to them referred in relation to an appropriation to St. Elizabeth Hospital.

Which was granted.

Mr. Holt, from the Committee on the Judiciary, to whom had been referred a resolution from the House of Representatives, entitled

Resolution to test the constitutionality of a certain congressional enactment therein named and jurisdiction of the United States courts thereunder,

Reported the same without amendment.

Ordered, That said resolution be printed, and made the special order of the day for the 27th inst., at 11 o'clock, A. M.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Covington.

An act to provide for the change of cases from courts of common pleas to circuit courts, and from circuit courts to courts of common pleas, in certain cases.

Resolution giving certain instructions to the Judiciary Committees of the two Houses of the General Assembly.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Turner, from the Committee on the Judiciary—

1. A bill to establish a Board of Agriculture and Immigration for the State of Kentucky.

By Mr. Holt, from the same committee—

2. A bill to amend the charter of the city of Lexington.

By Mr. Martin, from the Committee on Religion.

3. A bill authorizing the trustees of the Methodist Episcopal Church, South, in Cynthiana, to sell and convey their church property, and to reinvest the money.

By same—

4. A bill for the benefit of the administrator of James F. Ware, late clerk of the Harrison circuit court.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and made the special order of the day for Monday, February 1st, at 11 o'clock, A. M.; the 3d was recommitted to the Committee on Religion, and the 2d and 4th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. C. T. Worthington—

1. A bill to incorporate the Boyle and Mercer turnpike road company.

On motion of same—

2. A bill relinquishing to the private stockholders the management of the turnpikes in which the State owns an interest for the period of ten years.

On motion of Mr. Field—

3. A bill for the benefit of Casper Herps, late surveyor of Bullitt county.

On motion of Mr. Alexander—

4. A bill in relation to contracts for payment of currency or coin.

On motion of Mr. O. P. Johnson—

5. A bill to amend section one of an act to continue in force an act granting a premium on red and gray foxes, wolves, and wild cats' scalps in this State.

On motion of Mr. Vallandingham—

6. A bill fixing the salary of the Superintendent of Public Instruction.

On motion of Mr. Dudley—

7. A bill to legalize and carry out an ordinance of the city of Lexington.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st and 2d; the Committee on Finance the 3d and 5th; the Committee on the Judiciary the 4th and 7th, and the Committee on Education the 6th.

And then the Senate adjourned.

WEDNESDAY, JANUARY 20, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to amend section 3 of article 2 of chapter 32 of the Revised Statutes.

That they had passed bills of the following titles, viz:

1. An act to authorize the Logan county court to increase the county levy for the year 1869.

2. An act to regulate the election of the sinking fund commissioners in Hart county.

3. An act to change the time of holding the Washington quarterly court.

4. An act to change the time of holding the quarterly courts of Mason county.

5. An act to amend article 5 of an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867.

6. An act to repeal an act, entitled "An act to establish a ferry across the Cumberland river at Eddyville," approved March 9, 1868.

7. An act authorizing the Lyon county court to order a railroad election.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, and 4th to the Committee on County Courts; the 2d to the Committee on the Sinking Fund, and the 5th, 6th, and 7th to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax."

An act to provide for the payment of certain claims for work and labor done, materials furnished, and other expenses incurred on the Green and Barren and Kentucky rivers.

An act to incorporate the Cairo Junction railroad company.

Resolution requesting the Governor to return certain bills.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Alexander, from the Committee on Internal Improvement—

1. A bill for the benefit of the Flemingsburg and Mt. Carmel turnpike road company.

By same—

2. A bill to amend an act, entitled "An act to incorporate the Louisville, Harrodsburg, and Virginia railroad company."

By Mr. Carlisle, from the Committee on the Judiciary—

3. A bill to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company.

By same—

4. A bill to amend the Civil Code of Practice, title "Injunctions," chapter 4, article 2.

By same—

5. A bill to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap railroad company."

By same—

6. A bill to incorporate the German Building Association, No. 1, of Covington.

By same—

7. A bill to carry into effect certain surveys made by Robert P. Davis, deceased, late surveyor of Breathitt county.

By same—

8. A bill in relation to contracts for the payment of currency or coin.

By Mr. Holt, from the same committee—

9. A bill for the benefit of George E. Stone and James F. Montgomery.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was placed in the orders of the day; the 3d was ordered to be printed and made the special order of the day for the 26th inst., at 11 o'clock, A. M.; the 4th was ordered to be

printed and made the special order of the day for the 28th inst., at 10½ o'clock, A. M.; the 8th was ordered to be printed and placed in the orders of the day, and the 1st, 5th, 6th, 7th, and 9th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the German Evangelical Lutheran St. Paul's Church of Paducah,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker laid before the Senate the following report, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 19, 1869.

To the Senate and House of Representatives:

In obedience to the second section of the act of February 4, 1863, I have the honor to submit the following report, showing the number of days each of the Judges mentioned in said act were absent, and the amount paid to each of the Judges *pro tem.* elected in their stead, so far as it is shown by the records of this Department, to-wit:

LOUISVILLE CHANCERY COURT.

Thos. W. Riley, Judge *pro tem.*, 10 days	$261 90	
Thos. W. Riley, Judge *pro tem.*, 5 days	130 95	
John T. Bunch, Judge *pro tem.*, 33 days	864 09	
E. S. Worthington, Judge *pro tem.*, 5 days	130 90	
		$1,387 84

LOUISVILLE CITY COURT.

J. Hop Price, Judge *pro tem.*, 71 days	$454 84	
H. E. Read, Judge *pro tem.*, 30 days	197 28	
J. Hop Price, Judge *pro tem.*, 53 days	339 76	
W. R. Kinney, Judge *pro tem.*, 17 days	93 16	
J. Hop Price, Judge *pro tem.*, 10 days	63 80	
		1,148 84

JEFFERSON COURT OF COMMON PLEAS.

T. B. Cochran, Judge *pro tem.*, November term, 1867, 3 days	$21 09	
P. B. Muir, Judge *pro tem.*, March term, 1868, 15 days	132 71	
John Roberts, Judge *pro tem.*, June term, 1868, 5 days	44 22	
		198 02
Amount carried forward		$2,734 70

Amount brought forward		$2,734 70
FIRST DISTRICT—COURT OF COMMON PLEAS.		
W. G. Bullitt, Judge *pro tem.*, November term, 1867, Ballard county, 9 days	$91 62	
J. M. Bigger, Judge *pro tem.*, October term, 1867, McCracken county, 7 days	71 26	
W. G. Bullitt, Judge *pro tem.*, March term, 1868, Marshall county, 5 days	53 47	
A. R. Boon, Judge *pro tem.*, December term, 1868, Hickman county, 16 days	162 88	
J. C. Gilbert, Judge *pro tem.*, March term, 1868, Calloway county, 4 days	42 60	
Geo. T. Barrett, Judge *pro tem.*, December term, 1867, Hickman county, 5 days	53 47	
J. D. White, Judge *pro tem.*, Hickman county, 13 days	138 42	
Geo. T. Barrett, Judge *pro tem.*, May term, 1868, Ballard county, 5 days	53 47	
J. C. Gilbert, Judge *pro tem.*, September term, 1868, Calloway county, 3 days	28 74	
W. G. Bullitt, Judge *pro tem.*, Marshall county, 3 days	28 74	
J. M. Bigger, Judge *pro tem.*, Calloway county, 2 days	19 16	
		743 83
THIRD DISTRICT—COURT OF COMMON PLEAS.		
W. D. Vertrees, Judge *pro tem.*, September term, 1867, Grayson county, 2 days	$24 44	
W. B. Read, Judge *pro tem.*, September term, 1867, Hardin county, 2 days	24 44	
J. W. Matthis, Judge *pro tem.*, September term, 1867, Hardin county, 1 day	12 22	
D. R. Murray, Judge *pro tem.*, September term, 1867, Hardin county, 2 days	24 44	
		85 54
FOURTEENTH DISTRICT—COURT OF COMMON PLEAS.		
Ben. P. Cissell, Judge *pro tem.*, October term, 1867, Livingston county, 7 days	$71 29	
Ben. P. Cissell, Judge *pro tem.*, April term, 1868, Livingston county, 10 days	100 90	
		172 19
FIRST DISTRICT—CIRCUIT COURT.		
Q. Q. Quigley, Judge *pro tem.*, April term, 1868, McCracken county, 5 days	$50 94	
P. D. Yeiser, Judge *pro tem.*, September term, 1868, Ballard county, 2 days	20 57	
A. D. Kingman, Judge *pro tem.*, November term, 1867, Graves county, 2 days	20 57	
J. M. Bigger, Judge *pro tem.*, January term, 1868, McCracken county, 3 days	27 75	
C. S. Marshall, Judge *pro tem.*, January term, 1868, McCracken county, 3 days	28 75	
Edward Crossland, Judge *pro tem.*, May term, 1868, McCracken county, 6 days	57 25	
Geo. T. Barrett, Judge *pro tem.*, March term, 1868, Hickman county, 1 day	9 58	
L. D. Husbands, Judge *pro tem.*, February term, 1868, McCracken county, 3 days	28 74	
		244 15
Amount carried forward		$3,980 41

Amount brought forward		$3,980 41
SECOND DISTRICT—CIRCUIT COURT.		
C. D. Bradley, Judge *pro tem.*, June term, 1868, Lyon county, 1 day	$10 65	
W. H. Calvert, Judge *pro tem.*, November term, 1868, Lyon county, 12 days	129 36	
		140 01
FOURTH DISTRICT—CIRCUIT COURT.		
S. W. Kennedy, Judge *pro tem.*, June term, 1868, Muhlenburg county, 12 days	$127 77	
Jas. P. Bates, Judge *pro tem.*, March term, 1868, Edmonson county, 6 days	58 95	
		186 72
FIFTH DISTRICT—CIRCUIT COURT.		
J. W. Kincheloe, Judge *pro tem.*, April term, 1868, Meade county, 3 days	$28 95	
W. F. Coale, Judge *pro tem.*, September term, 1868, Meade county, 2 days	19 30	
J. B. Bruner, Judge *pro tem.*, October term, 1867, Breckinridge county, 4 days	38 60	
		86 85
SIXTH DISTRICT—CIRCUIT COURT.		
John W. Ritter, Judge *pro tem.*, October term, 1867, Monroe county, 9 days	$109 98	
Travis Cockrill, Judge *pro tem.*, November term, 1867, Green county, 2 days	24 44	
J. A. Brent, Judge *pro tem.*, Cumberland county, 4 days	49 44	
		183 86
SEVENTH DISTRICT—CIRCUIT COURT.		
L. H. Noble, Judge *pro tem.*, August term, 1868, Marion county, 3 days	$38 82	
L. H. Noble, Judge *pro tem.*, September term, 1868, Washington county, 6 days	76 64	
G. W. Kavanaugh, Judge *pro tem.*, April term, 1867, Washington county, 3 days	33 33	
Ben. Hardin, Judge *pro tem.*, September term, 1867, Nelson county, 1 day	11 11	
Thos. P. Porter, Judge *pro tem.*, May term, 1866, Anderson county, 2 days	22 22	
M. J. Durham, Judge *pro tem.*, Anderson county, 10 days	111 10	
M. J. Durham, Judge *pro tem.*, Mercer county, 2 days	22 22	
G. W. Kavanaugh, Judge *pro tem.*, November term, 1867, Anderson county, 3 days	33 33	
John F. Mills, Judge *pro tem.*, November term, 1868, Anderson county, 1 day	11 11	
W. B. Harrison, Judge *pro tem.*, October term, 1867, Washington county, 3 days	33 33	
G. W. Kavanaugh, Judge *pro tem.*, March term, 1868, Nelson county, 3 days	34 83	
G. W. Kavanaugh, Judge *pro tem.*, August term, 1868, Marion county, 2 days	19 16	
		447 20
Amount carried forward		$5,025 05

Amount brought forward		$5,025 05

NINTH DISTRICT—CIRCUIT COURT.

Z. Wheat, Judge *pro tem.*, November term, 1867, Shelby county, 5 days	$52 37	
W. R. Kinney, Judge *pro tem.*, April term, 1868, Bullitt county, 7 days	76 67	
T. L. Burnett, Judge *pro tem.*, June term, 1868, Jefferson county, 8 days	102 24	
W. R. Kinney, Judge *pro tem.*, April term, 1868, Spencer county, 5 days	38 25	
J. T. Bunch, Judge *pro tem.*, June term, 1868, Jefferson county, 15 days	198 27	
		467 80

ELEVENTH DISTRICT—CIRCUIT COURT.

John Rodman, Judge *pro tem.*, October term, Grant county, 9 days	$108 00	
Geo. C. Drane, Judge *pro tem.*, August term, 1868, Carroll county, 10 days	136 90	
Geo. C. Drane, Judge *pro tem.*, September term, 1868, Henry county, 6 days	82 14	
		327 04

TWELFTH DISTRICT—CIRCUIT COURT.

R. T. Baker, Judge *pro tem.*, January term, 1868, Campbell county, 2 days	$20 46	
J. R. Hallam, Judge *pro tem.*, September term, 1867, Campbell county, 1 day	9 78	
J. R. Hallam, Judge *pro tem.*, March term, 1868, Campbell county, 2 days	20 44	
		50 68

THIRTEENTH DISTRICT—CIRCUIT COURT.

N. P. Reid, Judge *pro tem.*, September term, 1867, Bath county, 2 days	$24 44	
Richard Reid, Judge *pro tem.*, March term, 1868, Bath county, 4 days	48 32	
N. P. Reid, Judge *pro tem.*, March term, 1868, Bath county, 2 days	25 56	
B. F. Buckner, Judge *pro tem.*, March term, 1868, Powell county, 5 days	63 85	
Thos. Turner, Judge *pro tem.* March term, 1868, Montgomery county, 2 days	31 94	
C. Brock, Judge *pro tem.*, March term, 1868, Montgomery county, 8 days	127 76	
Squire Turner, Judge *pro tem.*, April term, 1868, Estill county, 8 days	127 76	
J. F. Hood, Judge *pro tem.*, March term, 1868, Montgomery county, 4 days	47 91	
B. F. Buckner, Judge *pro tem.*, March term, 1868, Montgomery county, 5 days	79 85	
B. F. Buckner, Judge *pro tem.*, April term, 1868, Estill county, 1 day	15 97	
B. A. Seaver, Judge *pro tem.*, March term, 1868, Montgomery county, 1 day	15 97	
C. F. Burnam, Judge *pro tem.*, April term, 1868, Estill county, 1 day	15 97	
B. F. Buckner, Judge *pro tem.*, March term, 1868, Powell county, 1 day	16 00	
Amounts carried forward	$641 30	$5,870 57

Amounts brought forward	$641 30	$5,870 57
Isaac N. Caldwell, Judge *pro tem.*, April term, 1868, Owsley county, 12 days	191 64	
R. Riddle, Judge *pro tem.*, May term, 1868, Wolfe county, 5 days	79 85	
Thomas Metcalfe, Judge *pro tem.*, March term, 1868, Montgomery county, 3 days	47 91	
Jas. R. Botts, Judge *pro tem.*, May term, 1868, Morgan county, 6 days	95 82	
Richard Reid, Judge *pro tem.*, September term, 1868, Montgomery county, 2 days	31 94	
		1,088 46

FOURTEENTH DISTRICT—CIRCUIT COURT.

Wm. Norvell, Judge *pro tem.*, September term, 1868, Nicholas county, 2 days	$29 48	
E. C. Phister, Judge *pro tem.*, September term, 1868, Nicholas county, 3 days	44 22	
E. C. Phister, Judge *pro tem.*, September term, 1868, Nicholas county, 2 days	29 48	
L. W. Andrews, Judge *pro tem.*, September term, 1868, Nicholas county, 2 days	29 48	
		132 66

SIXTEENTH DISTRICT—CIRCUIT COURT.

J. R. Botts, Judge *pro tem.*, September term, 1868, Magoffin county, 6 days	88 44
Total	$7,180 13

All of which is very respectfully submitted,

D. HOWARD SMITH, *Auditor.*

Ordered, That said report be printed.

Mr. Turner, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to extend the charter of the Louisville Gas Company," approved January 30, 1868,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

Mr. Bruner then moved to amend the 6th section of said bill as follows, viz:

Provided, That nothing contained in this act shall prevent the city council at any time from granting the privilege to any company or private individual to furnish gas to the city or to individuals, in such manner and in such quantities as they may deem wise and proper.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and C. T. Worthington, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	W. C. Halbert,	P. H. Leslie,
John B. Bruner,	O. P. Johnson,	C. T. Worthington—7.
Evan M. Garriott,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M Alexander,	G. A. C. Holt,	Philip Swigert,
F. M. Allison,	Henry C. Lilly,	Harrison Thompson,
R. T. Baker,	W. Lindsay,	Oscar Turner,
A. K. Bradley,	I. T. Martin,	W. L. Vories,
Joseph H. Chandler,	John W. F. Parker,	Ben. J. Webb,
Wm. A. Dudley,	W. H. Payne,	I. C. Winfrey—23.
A. H. Field,	I. A. Spalding,	

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 61 of the Revised Statutes, title "Laws;"

An act for the benefit of Sanford M. Collins, of Mason county;

An act for the benefit of the Frankfort city school;

An act for the benefit of the Board of Internal Improvement for Scott county;

An act to amend the charter of the Mayslick and Sardis turnpike road;

An act to incorporate the Orangeburg and Tollsboro turnpike road company, in Mason county;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Barren River Bridge Company;

An act to amend an act, entitled "An act to amend an act to levy a tax to aid in building turnpike roads in Lewis county;"

An act to amend and continue in force the 1st and 2d sections of an act to amend section 3 of article 6, chapter 27, of the Revised Statutes, approved February 22, 1865;

An act to authorize the Hancock county court to appropriate the excess of county levy for the year 1867 to the payment of the deficiency in the court-house fund for the year 1868;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a resolution from the House of Representatives, entitled

Resolution in favor of Mrs. L. B. Helm.

Which reads as follows, viz:

WHEREAS, The Hon. John L. Helm, late Governor of this Commonwealth, departed this life within one week after his inauguration as Governor; and whereas, he spent the services of a long life in the interest, and for the benefit, of his native State, with comparatively little compensation therefor; and as a further acknowledgment of his invaluable services to the State, therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That there is hereby appropriated out of the Treasury, to Mrs. Lucinda B. Helm, wife of the late Hon. John L. Helm, the sum of five thousand dollars, an amount about equal to one year's salary, with the perquisites of the office, of Governor of this Commonwealth; and the Auditor is directed to draw his warrant on the Treasury in favor of Mrs. Lucinda B. Helm for the same.

Mr. Boyd then moved to amend said resolution as follows, viz:

That there is hereby appropriated to the heirs of Governor George Madison, who died soon after his inauguration as Governor of illness contracted while a soldier in the service of his country, the sum of five thousand dollars.

That there is hereby appropriated to the heirs of Governor John Breathitt, who died while in office as Governor of Kentucky, the sum of five thousand dollars.

That there is hereby appropriated to the heirs of Governor James Clark, who died while in office as Governor of Kentucky, the sum of five thousand dollars.

To the widow and heirs of James H. Garrard, the sum of twenty-four hundred dollars, being one year's salary.

Mr. Dudley moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Boyd, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lilly and Payne, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Baker,	John B. Bruner,	John W. F. Parker,
Robert Boyd,	O. P. Johnson,	C. T. Worthington—8.
A. K. Bradley,	Henry C. Lilly,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
F. M. Allison,	W. C. Halbert,	Harrison Thompson,
John G. Carlisle,	G. A. C. Holt,	Oscar Turner,
Jos. H. Chandler,	P. H. Leslie,	A. C. Vallandingham,
John B. Clarke,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	I. T. Martin,	Ben. J. Webb,
Wm. A. Dudley,	W. H. Payne,	I. C. Winfrey—26.
A. H. Field,	I. A. Spalding,	

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Jos. M. Alexander,	A. H. Field,	Philip Swigert,
F. M. Allison,	Joseph Gardner,	Harrison Thompson,
Jno. G. Carlisle,	W. C. Halbert,	A. C. Vallandingham,
Jos. H. Chandler,	I. T. Martin,	W. L. Vories,
John B. Clarke,	W. H. Payne,	Ben. J. Webb—20.
A. D. Cosby,	I. A. Spalding,	

Those who voted in the negative, were—

R. T. Baker,	G. A. C. Holt,	Jno. W. F. Parker,
Robert Boyd,	O. P. Johnson,	Oscar Turner,
A. K. Bradley,	P. H. Leslie,	I. C. Winfrey,
John B. Bruner,	Henry C. Lilly,	C. T. Worthington—14.
Evan M. Garriott,	W. Lindsay,	

Resolved, That the title of said resolution be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—

1. A bill to incorporate the Shepherdsville and Mount Washington turnpike road company.

On motion of same—

2. A bill to incorporate the Shepherdsville, Bardstown Junction, and Pitt's Point turnpike road company.

On motion of same—

3. A bill for the benefit of Taylor W. Samuels, late sheriff of Nelson county.

On motion of same—

4. A bill to amend an act, entitled "An act to amend the charter of the Bardstown and Louisville railroad company," approved March 6, 1856.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st and 2d, and the Committee on Circuit Courts the 3d and 4th.

The following petitions and remonstrance were presented, viz:

By Mr. Baker—

1. The petition of numerous citizens of Campbell county, praying the re-establishment of the district of Highlands, in Campbell county.

By same—

2. The petition of sundry citizens of Newport, asking that the charter of said town be so amended as to prevent the selling of fresh meats at places in said city other than the market-house.

By Mr. C. T. Worthington—

3. The remonstrance of trustees of Danville against a certain change in the charter of said town.

By Mr. Chandler—

4. The petition of citizens of Greensburg, asking the repeal of the law authorizing the trustees to license liquor dealers.

Which petitions and remonstrance were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on County Courts, and the 3d and 4th to the Committee on Propositions and Grievances.

At twenty minutes to 12 o'clock, Mr. Standeford moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	E. D. Standeford,
Jos. M. Alexander,	A. H. Field,	Philip Swigert,
F. M. Allison,	Joseph Gardner,	A. C. Vallandingham,
R. T. Baker,	O. P. Johnson,	W. L. Vories,
Robert Boyd,	Henry C. Lilly,	Ben. J. Webb,
A. K. Bradley,	John W. F. Parker,	I. C. Winfrey—20.
John B. Clarke,	I. A. Spalding,	

Those who voted in the negative, were—

John B. Bruner,	G. A. C. Holt,	W. H. Payne,
Jos. H. Chandler,	P. H. Leslie,	Harrison Thompson,
Wm. A. Dudley,	W. Lindsay.	Oscar Turner,
Evan M. Garriott,	I. T. Martin,	C. T. Worthington—13.
W. C. Halbert,		

And then the Senate adjourned

THURSDAY, JANUARY 21, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to establish the county of Elliott out of parts of Morgan, Lawrence, and Carter counties.

With amendments to said bill.

Which amendments were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to repeal so much of section 14, chapter 67, title "Mills," of Revised Statutes, as applies to the town of Salyersville, in Magoffin county.

An act to amend article 4, chapter 55, of Revised Statutes, entitled "Mode of Summoning Petit Jurors—Jury Commissioners."

That they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the benefit of Benoni Mills, late sheriff of Wayne county.

That they had passed bills of the following titles, viz:

1. An act for the benefit of J. H. Reno, late clerk of the Muhlenburg circuit and county courts.

2. An act for the benefit of Albert G. Moore, of the county of Christian.

3. An act to amend sections 2 and 3 of an act to amend the several acts in relation to peddlers.

4. An act for the benefit of John Boyd, late sheriff of Lyon county.

5. An act to amend section 1, article 3, of chapter 78, Revised Statutes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, and 4th to the Committee on Finance, and the 5th to the Committee on Revised Statutes.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act for the benefit of John L. Slavin, sheriff of Garrard county.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved February 28, 1862.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Baker moved to commit the bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Baker,	O. P. Johnson,	W. H. Payne,
John B. Bruner,	Henry C. Lilly,	Philip Swigert—8.
A. D. Cosby,	Jno. W. F. Parker,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,

F. M. Allison,	Evan M. Garriott,	Harrison Thompson,
A. K. Bradley,	W. C. Halbert,	Oscar Turner,
Jno. G. Carlisle,	G. A. C. Holt,	A. C. Vallandingham,
Joseph H. Chandler,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	W. Lindsay,	B. C. Winfrey,
Wm. A. Dudley,	I. T. Martin,	C. T. Worthington—24.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Winfrey, from the Committee on Propositions and Grievances—

A bill to authorize the county court of Calloway county to change the State road leading from Canton, by way of Murray, to Hickman.

By Mr. Lindsay, from the Committee on County Courts—

A bill to incorporate the town of Moscow, Hickman county.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to prohibit the sale of spirituous liquors within the corporate limits of the town of Sherburne, in Fleming county.

By same—

A bill for the benefit of Fleming Solamon, of Carter county.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend the charter of the city of Augusta, in Bracken county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Martin, from the Committee on the Penitentiary, reported a bill amending an act, entitled "An act to lease the Kentucky Penitentiary," approved March 9, 1867.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for the 27th inst.

Mr. Martin, from the Committee on the Sinking Fund, to whom had been referred a bill regulating the collection of tolls on turnpike roads in going to church, funerals, &c.,

Reported the same without amendment.

Ordered, That said bill be read a third time.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all turnpike roads and toll-bridges in this Commonwealth are hereby prohibited from collecting tolls from persons going to or returning from church on Sundays, or in going to or returning from funerals, or in going to or returning from school, or in going to or returning from mill when on horseback.

§ 2. That all acts or parts of acts conflicting with the foregoing be, and the same are hereby, repealed.

Mr. Bruner moved to amend the bill by adding to the first section the following proviso:

Provided, That this act shall not apply to any turnpike road in which the State owns stock.

Mr. Chandler moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Lindsay, from the Committee on County Courts—

An act to authorize the Logan county court to increase the county levy for the year 1869.

By same—

An act authorizing the county court of Pendleton county to close certain alleys upon the public grounds.

By same—

An act to change the time of holding the Woodford county court, and providing for the holding of the court of claims for Woodford county.

By same—

An act to regulate the time of holding county and quarterly courts in Jackson county.

By same—

An act to change the time of holding the county and quarterly courts of Pike county.

By same—

An act for the benefit of Boyd county.

By same—

An act to change the time of holding the civil terms of the police court of Elizabethtown.

By same—

An act for changing the days of holding quarterly court in Webster county.

By same—

An act to amend an act, entitled "An act to authorize the county court of Scott county to increase the county levy," &c., approved February 27, 1867.

By same—

An act to authorize the county court of Crittenden county to levy an additional tax.

By same—

An act authorizing the county court of Graves county to sell the poor-house and lands, and to invest the proceeds thereof.

By same—

An act to amend an act, entitled "An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes."

By same—

An act to repeal an act, entitled "An act to change the time of holding justices of the peace courts in Washington county," approved 9th of March, 1868, and to fix the time of holding the same.

By same—

An act to change the time of holding the Washington quarterly court.

By same—

An act to change the time of holding the quarterly courts of Mason county.

By same—

An act for the benefit of the McCracken county court.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of Henry Farmer, of Ballard county.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to establish a ferry across the Cumberland river at Eddyville," approved March 9, 1868.

By same—

An act to amend article 5 of an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867.

By same—

An act to amend the charter of the town of Catlettsburg.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of John T. Thompson,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. Lindsay,
Jos. M. Alexander,	Wm. A. Dudley,	I. T. Martin,
F. M. Allison,	A. H. Field,	W. H. Payne,
R. T. Baker,	Joseph Gardner,	I. A. Spalding,
John B. Bruner,	Evan M. Garriott,	E. D. Standeford,
John G. Carlisle,	W. C. Halbert,	H. Thompson,
Joseph H. Chandler,	G. A. C. Holt,	Oscar Turner,
John B. Clarke,	Henry C. Lilly,	C. T. Worthington—24.

Those who voted in the negative, were—

A. K. Bradley,	P. H. Leslie,	I. C. Winfrey—4.
O. P. Johnson,		

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had ap-

proved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act to levy a tax to aid in building turnpike roads in Lewis county."

An act to incorporate the Barren River Bridge Company.

An act to authorize the Hancock county court to appropriate the excess of county levy for the year 1867 to the payment of the deficiency in the court-house fund for the year 1868.

An act to amend and continue in force the first and second sections of an act to amend section 3 of article 6, chapter 27, of the Revised Statutes, approved February 22, 1865

Mr. Martin read and laid on the table a joint resolution, entitled

Resolution declaring null and void an act of the last session of the Legislature.

The rule of the Senate being dispensed with, said resolution was taken up and referred to the Committee on the Judiciary.

Mr. Turner read and laid on the table the following joint resolutions.

The rule of the Senate being dispensed with, said resolutions were taken up, and read as follows, viz:

WHEREAS, The inland States have contributed for twenty-five years past to the support of the Coast Survey, without immediate benefit within their borders; and whereas, Professor Pierce, Director of United States Coast Survey, has recently made estimates for extending its operations into the Ohio and Mississippi valley; and whereas, much benefit would result, not only to the United States Government, but to the people of Kentucky, by including Kentucky in said survey, thereby enabling us to have a new and accurate topographical map of the Commonwealth at but trifling expense; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Congress of the United States is hereby respectfully requested to authorize and direct the Director of the United States Coast Survey to include the State of Kentucky, by making all necessary triangulations and other delineations necessary to mapping the results, and to include Kentucky in his report and maps.

Resolved, That a copy of these resolutions be transmitted by the Governor to the President of the United States Senate and Speaker of the House of Representatives in Congress, and to our Representatives in Congress, who are requested to urge the propriety and importance of said survey.

The question was then taken on the adoption of said resolutions, and it was decided in the affirmative.

On motion, Messrs. Baker and Thompson were granted leave of indefinite absence.

Mr. Payne read and laid on the table a joint resolution in relation to the Capital.

Which was placed in the orders of the day.

The Senate, according to order, took up for consideration a bill to abolish the Board of Internal Improvement.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled "An act in relation to the Board of Internal Improvement," approved February 20th, 1864, be, and the same is hereby, repealed.

§ 2. That the Chairman of the Board of Internal Improvement report the state of his accounts to the Commissioners of the Sinking Fund, who are hereby authorized to settle the same, and receive any balance on hand, which they will pay into the Treasury, to be placed to their credit.

§ 3. That the ——— of this Commonwealth be, and he is hereby, authorized, by proxy, to vote the stock of the State for directors in all the turnpike roads in which the State has an interest.

§ 4. This act shall take effect from its passage.

Mr. Carlisle moved to amend said bill by adding to the second section the following proviso:

Provided, That the said Chairman shall be allowed the period of sixty days, from and after the passage of this act, to close up any unfinished business now in his hands and make the said report.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Jos. M. Alexander,	Joseph Gardner,	Philip Swigert,
F. M. Allison,	W. C. Halbert,	H. Thompson,
R. T. Baker,	G. A. C. Holt,	A. C. Vallandingham,
Robert Boyd,	O. P. Johnson,	Ben. J. Webb,
A. K. Bradley,	Henry C. Lilly,	I. C. Winfrey,
John B. Bruner,	W. Lindsay,	C. T. Worthington,
Joseph H. Chandler,	John W. F. Parker,	W. J. Worthington—26.
John B. Clarke,	I. A. Spalding,	

Those who voted in the negative, were—

John G. Carlisle,	A. H. Field,	W. H. Payne—5.
A. D. Cosby,	P. H. Leslie,	

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill to amend an act, entitled "An act to incorporate the Louisville, Harrodsburg, and Virginia railroad," approved March 9, 1868.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an engrossed bill for the benefit of James H. Hall, late sheriff of Powell county.

Said bill reads as follows, viz:

WHEREAS, There was a judgment in the Franklin circuit court in 1868 against James H. Hall, sheriff of Powell county, and Thomas B. Hall, Malon Hall, and Joab Morton, his sureties, for one thousand and fifty-two dollars and eighty-four cents, for the revenue of said county for the year 1867, and damages thereon; and whereas, the said James H. Hall, as sheriff aforesaid, has fully paid into the Treasury of the State all of said judgment, with its cost and damages; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the two hundred and ten dollars in damages paid into the Treasury by the sheriff aforesaid be refunded, and the Auditor is hereby authorized to draw his warrant on the Treasury in favor of the said James H. Hall for said amount.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	W. H. Payne,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
R. T. Baker,	W. C. Halbert,	Philip Swigert,
Robert Boyd,	G. A. C. Holt,	H. Thompson,
A. K. Bradley,	O. P. Johnson,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Jos. H. Chandler,	Henry C. Lilly,	Ben. J. Webb,
John B. Clarke,	W. Lindsay,	I. C. Winfrey,

A. D. Cosby, I. T. Martin, C. T. Worthington,
Wm. A. Dudley, J. W. F. Parker, W. J. Worthington—33.

In the negative—John B. Bruner.

Resolved, That the title of said bill be as aforesaid.

The following petitions were presented, viz:

By Mr. Dudley—

1. The petition of sundry members of the bar and citizens of the city of Lexington, in relation to the fees of circuit court clerks.

By Mr. Spalding—

2. The petition of sundry citizens of Union county, in relation to the licensing a coffee-house in Morganfield.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on the Judiciary.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act providing for a tax to assist in completing and building turnpike roads in Anderson county;

An act authorizing George C. Rogers, judge of the 4th judicial district, to sign the orders of the Muhlenburg circuit court at the December term, 1867, and May term, 1868;

An act for the benefit of Louisa J. Harris, of Catlettsburg;

An act for the benefit of John W. Howard, of Ballard county;

An act for the benefit of Joseph A. Foree, of Ballard county;

An act for the benefit of Benoni Mills, late sheriff of Wayne county;

An act to incorporate a turnpike road company to construct a road from Pleasant Hill to the Boyle county line;

An act to amend an act incorporating the Danville and Pleasant Hill turnpike, approved 11th of February, 1854;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Nelson county;

An act authorizing the Muhlenburg county court to levy a tax, and to increase the county levy of said county;

An act for the benefit of Butler county;

An act to authorize the county court of Wolfe county to levy a tax and increase the county levy;

An act to authorize the trustees of the town of Rumsey to sell the public grounds in said town;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chandler—

1. A bill for the benefit of Mrs. H. N. Robinson.

On motion of Mr. Garriott—

2. A bill for the benefit of John M. Abbott, police judge of the town of Milton, in Trimble county.

On motion of Mr. Parker—

3. A bill to incorporate the Kentucky and Tennessee Central railroad company.

On motion of Mr. W. J. Worthington—

4. A bill to repeal an act in relation to the public square in Greenup county.

On motion of same—

5. A bill for the benefit of Greenup county.

On motion of same—

6. A bill for the benefit of John Seaton, of Greenup county.

On motion of Mr. Cosby—

7. A bill for the benefit of T. M. Conditt, sheriff of McLean county.

On motion of Mr. Halbert—

8. A bill to incorporate the Cabin Creek and Ohio River turnpike road.

On motion of Mr. Spalding—

9. A bill to amend the road law of Union county.

On motion of same—

10. A bill to amend the charter of the town of Morganfield.

On motion of same—

11. A bill to confer additional jurisdiction upon the judge of the Union county court.

On motion of same—

12. A bill to amend the law in relation to the introduction of Texas cattle into this Commonwealth.

On motion of Mr. ————

13. A bill to change the time of holding the quarterly courts of Henry county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on the Judiciary the 2d; the Committee on Internal Improvement the 3d, 8th, and 9th; the Committee on County Courts the 4th, 10th, 11th, and 13th; the Committee on Finance the 5th, 6th, and 7th, and the Committee on Revised Statutes the 12th.

And then the Senate adjourned

FRIDAY, JANUARY 22, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate the Bullitt County turnpike road company.

An act to incorporate the Elizabethtown, Lexington, and Big Sandy railroad company.

With amendments to the last named bill.

Which were concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

1. An act to improve the navigation of Licking river.

2. An act to legalize the proceedings of the Bowling Green Building Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Orangeburg and Tollsboro turnpike road company, in Mason county.

An act to amend the charter of the Mayslick and Sardis turnpike road.

An act for the benefit of the Frankfort city school.

An act for the benefit of the Board of Internal Improvement for Scott county.

An act to amend chapter 61 of the Revised Statutes, title "Laws."

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate passed a bill to repeal the charter of Mt. Vernon, in Rockcastle county.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on Revised Statutes.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Bradley, from the Committee on Revised Statutes—

An act for the establishment of a pauper-house in Hancock county.

By same—

An act concerning the powers and jurisdiction of the constable of the 1st district, in Larue county.

By Mr. Bruner, from the same committee—

An act to incorporate Cloverport Cemetery Company.

By Mr. Bruner, from the Committee on the Sinking Fund—

An act to regulate the election of the sinking fund commissioners in Hart county.

By Mr. Field, from the Committee on Circuit Courts—

An act for the benefit of the Shelby circuit clerk.

By same—

An act to amend an act, entitled "An act fixing the time for holding the circuit, criminal, and equity courts of this Commonwealth."

By same—

An act for the benefit of the clerk of the Nicholas circuit court.

By same—

An act for the benefit of F. M. Allison, late clerk of the Butler county and circuit courts.

By Mr. Lindsay, from the Committee on County Courts—

An act for the benefit of R. W. Wilson, clerk of the Crittenden county court.

By same—

An act for the benefit of the court of claims of Clinton county.

By same—

An act to increase the jurisdiction of justices of the peace in civil district No. 4, in Fulton county.

By same—

An act for the benefit of the Crittenden county court.

By same—

An act to legalize the proceedings of the Boone county court at its October term, 1868, and its January term, 1869.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Parker, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act to establish a State House of Reform for Juvenile Delinquents,

Reported the same, with sundry amendments.

Ordered, That said bill and proposed amendments be printed, and made the special order of the day for the 3d February next.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," as applies to the counties of Boyd, Lawrence, Johnson, Floyd, and Pike,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Uniontown,

Reported the same, with the expression of opinion that said bill ought not to pass.

Mr. Spalding then moved that the further consideration of said report be postponed until the 26th inst., at 11½ o'clock.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Payne, from the Committee on Revised Statutes—

1. A bill to amend and reduce into one the mechanics' lien law for Warren county.

By Mr. Lindsay, from the Committee on County Courts—

2. A bill authorizing the Hancock county court to grant administration on the estate of Joseph Wilson, deceased.

By same—

3. A bill to regulate the sale of intoxicating spirits in the town of Clinton, Hickman county.

By same—

4. A bill for the benefit of Hopkins county.

By Mr. Parker, from the Committee on Education—

5. A bill for the benefit of school district No. 28, in Fleming county.

By Mr. Leslie, from the Committee on Finance—

6. A bill to regulate the collection of the public revenue.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was referred to the Committee on the Judiciary; the 6th was ordered to be printed and made the special order of the day for the 29th inst., at 11 o'clock, A. M., and the 2d, 3d, 4th, and 5th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Webb, from the Committee on Education, reported a bill to fix the salary of the Superintendent of Public Instruction.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That from and after the first day of January, 1869, the salary of the Superintendent of Public Instruction shall be twenty-four hundred dollars per annum, to be paid out of the common school fund.

Mr. Parker then moved to amend said bill as follows:

Provided, however, That this act shall have effect only upon the condition that the question submitted to the voters of the State by an act passed at the present session of the Legislature, for levying an increased school tax and revising and improving the common school system, shall be decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	O. P. Johnson,	I. A. Spalding,
F. M. Allison,	P. H. Leslie,	E. D. Standeford,
John B. Bruner,	W. Lindsay,	Philip Swigert,
John G. Carlisle,	I. T. Martin,	Ben. J. Webb,
John B. Clarke,	W. H. Payne,	W. J. Worthington—16.
A. H. Field,		

Those who voted in the negative, were—

Robert Boyd,	Evan M. Garriott,	H. Thompson,
A. K. Bradley,	W. C. Halbert,	A. C. Vallandingham,
Joseph H. Chandler,	G. A. C. Holt,	I. C. Winfrey,
Joseph Gardner,	Henry C. Lilly,	C. T. Worthington—12.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	W. C. Halbert,	I. C. Winfrey,
Robert Boyd,	John W. F. Parker,	C. T. Worthington,
John G. Carlisle,	W. H. Payne,	W. J. Worthington—11.
Joseph Gardner,	H. Thompson,	

Those who voted in the negative, were—

F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
A. K. Bradley,	G. A. C. Holt,	E. D. Standeford,
John B. Bruner,	O. P. Johnson,	Philip Swigert,
Joseph H. Chandler,	P. H. Leslie,	Oscar Turner,
John B. Clarke,	W. Lindsay,	A. C. Vallandingham,
A. H. Field,	I. T. Martin,	Ben. J. Webb—18.

So said bill was rejected.

Mr. Martin, from the Committee on Religion, to whom had been referred a bill authorizing the trustees of the Methodist Episcopal Church, South, in Cynthiana, to sell and convey their church property, and to reinvest the money,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of John S. Gallagher.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Said bill reads as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	W. H. Payne,
Jos. M. Alexander,	W. C. Halbert,	I. A. Spalding,
F. M. Allison,	G. A. C. Holt,	E. D. Standeford,
Robert Boyd,	Henry C. Lilly,	Philip Swigert,
A. K. Bradley,	W. Lindsay,	Harrison Thompson,
Jno. G. Carlisle,	I. T. Martin,	C. T. Worthington,
Joseph H. Chandler,	Jno. W. F. Parker,	W. J. Worthington—22.
A. H. Field,		

Those who voted in the negative, were—

John B. Bruner,	P. H. Leslie,	A. C. Vallandingham,
Evan M. Garriott,	Oscar Turner,	I. C. Winfrey—7.
O. P. Johnson,		

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill to protect the owners of timber from rafting thieves and other depredators.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person who shall cut, or saw down and carry away, timber growing upon the lands of another, of the value of four dollars or more, without the consent of the owner or his agent, and without color of title in himself to the land upon which said timber was growing, shall be deemed guilty of felony, and, upon conviction thereof,

shall be confined in the penitentiary for a period of not less than one nor more than five years.

§ 2. And if such timber, cut as aforesaid, shall be of less value than four dollars, and more than one dollar, the offense shall be deemed petit larceny, and punished as such offense according to laws prescribing penalty for petit larceny.

§ 3. This act shall not apply to persons who may cut timber on lands of another through mistake as to the boundary thereof, believing, in good faith, that it was his own land.

§ 4. This act shall be given in charge by the circuit courts and courts having original jurisdiction in this Commonwealth.

§ 5. This act shall take effect sixty days after its passage.

Mr. Lilly moved to amend said bill as follows, viz:

Provided, That the provisions of this bill shall not apply to the counties of Estill, Madison, Jackson, and Powell, Greenup, Lawrence, Carter, and Boyd, Adair, Clinton, Cumberland, Russell, Rockcastle, Laurel, Whitley, Knox, and Josh Bell.

The question was then taken on the adoption of the amendment proposed by Mr. Lilly, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lilly and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Henry C. Lilly,	W. L. Vories,
John B. Bruner,	John W. F. Parker,	I. C. Winfrey,
G. A. C. Holt,	W. H. Payne,	W. J. Worthington—10.
O. P. Johnson,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
F. M. Allison,	W. C. Halbert,	Harrison Thompson,
A. K. Bradley,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	W. Lindsay.	Ben. J. Webb,
John B. Clarke,	I. T. Martin,	C. T. Worthington—20.
A. H. Field,	I. A. Spalding,	

Mr. Spalding then moved to amend the bill as follows:

Amend by striking out the second section, and insert as a substitute therefor the following:

And if such timber so cut and carried away shall be of less value than four and more than one dollar, the offense shall be deemed petit larceny, and punished by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment in the county jail for not more than six months, at the discretion of the jury; the fine imposed to be collected as other fines are collected.

And the question being taken on the adoption of the amendment proposed by Mr. Spalding, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Lilly, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	G. A. C. Holt,	E. D. Standeford,
Jos. M. Alexander,	P. H. Leslie,	Philip Swigert,
A. K. Bradley,	W. Lindsay,	Harrison Thompson,
John G. Carlisle,	I. T. Martin,	Oscar Turner,
Jos. H. Chandler,	John W. F. Parker,	W. L. Vories,
A. H. Field,	W. H. Payne,	Ben. J. Webb,
Evan M. Garriott,	I. A. Spalding,	C. T. Worthington—21.

Those who voted in the negative, were—

F. M. Allison,	Joseph Gardner,	Henry C. Lilly,
Robert Boyd,	W. C. Halbert,	I. C. Winfrey—8.
John B. Bruner,	O. P. Johnson,	

Resolved, That the title of said bill be amended to read,

An act to protect the owners of wood-lands.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of William A. Nesbitt.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury of the State in favor of William A. Nesbitt, for the sum of two hundred and fifty dollars, compensation and expenses in conveying a lunatic to the asylum, who was rejected for want of room.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	Philip Swigert,
Jos. M. Alexander,	O. P. Johnson,	H. Thompson,
F. M. Allison,	P. H. Leslie,	Oscar Turner,
A. K. Bradley,	W. Lindsay,	A. C. Vallandingham,
John B. Bruner,	I. T. Martin,	Ben. J. Webb,
John G. Carlisle,	John W. F. Parker,	I. C. Winfrey,
John B. Clarke,	W. H. Payne,	C. T. Worthington,
A. H. Field,	I. A. Spalding,	W. J. Worthington—26.
Joseph Gardner,	E. D. Standeford,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of C. T. Cheek.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasury in favor of C. T. Cheek for one hundred and twenty dollars, to be paid to him out of any money therein not otherwise appropriated, the same being compensation for his services and money expended in conveying a pauper lunatic to the Eastern Lunatic Asylum under order of court, the said lunatic being rejected for want of room in the institution.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	E. D. Standeford,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
F. M. Allison,	O. P. Johnson,	H. Thompson,
John B. Bruner,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	W. Lindsay,	Ben. J. Webb,
Jos. H. Chandler,	I. T. Martin,	I. C. Winfrey,
John B. Clarke,	J. W. F. Parker,	C. T. Worthington,
A. H. Field,	W. H. Payne,	W. J. Worthington—26.
Joseph Gardner,	I. A. Spalding,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act authorizing the Hancock county court to grant administration on the estate of Joseph F. Wilson, deceased.

Mr. Payne read and laid on the table a joint resolution in relation to branching the penitentiary.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, It has been represented to the General Assembly of the Commonwealth of Kentucky that the present penitentiary is crowded with prisoners, and that it is rapidly becoming more crowded; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate and three from the House be appointed and instructed to inquire into the propriety of branching said institution, and of locating a branch thereof somewhere in the State, and to select the location, and to report by bill or otherwise as soon as may be.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Leslie moved the following resolution, viz:

WHEREAS, On a former day of this session of the present General Assembly a law was passed increasing the *per diem* pay of witnesses from fifty cents to one dollar per day; and whereas, it is represented that under that law enormous and extravagant amounts of money are being drawn from the Public Treasury, such as to excite serious doubts of the propriety of the law aforesaid; therefore,

Resolved by the Senate, That the Auditor of Public Accounts be, and he is hereby, requested to report to this General Assembly, at his earliest convenience, a statement showing the amount of money drawn from the Treasury during the past year under said law, and the amount drawn for witnesses the year preceding under the former law.

Which was adopted.

Mr. Lindsay moved the following resolution, viz:

WHEREAS, The various public books for the year 1868 to which the county of Hickman is by law entitled have not yet been delivered to the county court clerk for said county; and whereas, the public books for said year to which various other counties are entitled have been left at points remote from their various court-houses, and the clerks of said counties have been compelled to send for said books; therefore, be it

Resolved, That the Secretary of State is hereby requested to report to the Senate, at as early a day as practicable, what steps have been taken to have said books distributed in accordance with law, and whether or not any further legislation is necessary to enable the State

department to have the public books distributed to the various counties within a reasonable time after the same are ready for distribution.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Payne—

1. A bill to adopt Michael Crosby as son and heir of Peter and Ann Kelly.

On motion of same—

2. A bill to amend the charter of the Green River Female College.

On motion of same—

3. A bill to amend chapter 50, Revised Statutes, entitled "Inclosures and Certain Trespasses."

On motion of same—

4. A bill for the benefit of Archibald Homer, of Lewis county.

On motion of same—

5. A bill to repeal an act, entitled "An act to define the line between the counties of Lewis and Carter," approved March 9, 1868.

On motion of Mr. Turner—

6. A bill to change the time of collecting and payment of the revenue, and to change the time of returning and furnishing copies of assessors' books to sheriffs of this Commonwealth.

On motion of Mr. Standeford—

7. A bill authorizing the trustees of the Poplar Level Methodist Episcopal Church, South, to sell the same.

On motion of same—

8. A bill to amend the charter of the Louisville turnpike.

On motion of Mr. Alexander—

9. A bill for the benefit of the trustees of Poplar Plains, in Fleming county.

On motion of Mr. Martin—

10. A bill incorporating the Berry's Station and Raven's Creek turnpike road company.

Ordered, That the Committee on the Revised Statutes prepare and bring in the 1st and 3d; the Committee on Education the 2d and 9th; the Committee on Finance the 4th; the Committee on Circuit Courts the 5th; the Committee on the Judiciary the 6th; the Committee on County Courts the 7th, and the Committee on Internal Improvement the 8th and 10th.

The following petitions and remonstrance were presented, viz:

By Mr. Boyd—

1. The remonstrance of sundry citizens of Mt. Vernon against the repeal of the charter of Mt. Vernon, Kentucky.

By Mr. Leslie—

2. The petition of trustees of Bear Wallow common school district No. 77, Barren county, asking the passage of an act for their benefit.

By Mr. Allison—

3. The petition of trustees of South Carrollton, asking power to grant coffee-house license.

Which petitions and remonstrance were received, the reading dispensed with, and referred—the 1st to the Committee on the Revised Statutes; the 2d to the Committee on Education, and the 3d to the Committee on Finance.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the county court of Nelson county.

An act for the benefit of Butler county.

An act to authorize the trustees of the town of Rumsey to sell the public grounds in said town.

An act to authorize the county court of Wolfe county to levy a tax and increase the county levy.

An act authorizing the Muhlenburg county court to levy a tax, and to increase the county levy of said county.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the common school system;

An act to amend section 3, article 7, chapter 55, of the Revised Statutes;

An act to amend the charter of the Shelbyville and Bardstown turnpike road company;

An act to amend an act, entitled "An act to amend the charter of the Mayslick and Helena turnpike road;"

An act for the benefit of John M. Duke, jr., late clerk of the Mason circuit court;

An act to allow James E. Wright, late clerk of the Logan circuit and county courts, further time to collect his fee bills;

An act to amend the charter of the Massie's Mill turnpike road company;

An act to extend the charter of the Blandville and Cairo Gravel road company to Mayfield, in Graves county;

An act for the benefit of the city of Frankfort;

An act for the benefit of the United Baptist Church at Lebanon;

An act for the benefit of the trustees of the Methodist Episcopal Church of Madisonville;

An act to incorporate the Pendleton and Washington Trace turnpike road company;

An act to authorize the Logan county court to increase the county levy for the year 1869;

An act to amend an act, entitled "An act to extend the charter of the Louisville Gas Company," approved January 30, 1868;

Resolution in favor of Mrs. L. B. Helm;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal so much of section 14, chapter 67, title "Mills," of Revised Statutes, as applies to the town of Salyersville, in Magoffin county;

An act to amend article 4, chapter 55, of Revised Statutes, entitled "Mode of Summoning Petit Jurors—Jury Commissioners;"

An act to amend section 3 of article 2 of chapter 32 of the Revised Statutes;

An act to incorporate the Bullitt County turnpike road company;

An act authorizing the Hancock county court to grant administration on the estate of Joseph F. Wilson, deceased;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned

SATURDAY, JANUARY 23, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate the Shepherdsville, Bullitt's Lick, and Pitt's Point turnpike road.

An act to amend an act incorporating the Cynthiana Burial Association.

An act to incorporate the Louisville Medical College.

An act to amend the charter of the Louisville Cement and Water Power Company.

An act to amend the charter of the town of Clinton.

An act to incorporate the town of Morehead.

An act to incorporate the Louisville and New Orleans Transportation Company.

An act to amend the charter of the Louisville Journal Company.

An act to incorporate the Paducah and Clark's River Railway, Lumber, and Mining and Manufacturing Company.

An act to amend an act incorporating the Bardstown and Bloomfield turnpike road company.

An act to amend the charter of the city of Lexington.

An act to amend an act, entitled "An act to enlarge the town of Bowling Green.

An act to incorporate the Mount Carmel Cemetery, in Fleming county.

With amendments to the last two named bills.

That they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Louisa J. Harris, of Catlettsburg.

An act for the benefit of John W. Howard, of Ballard county.

An act authorizing George C. Rogers, judge of the 4th judicial district, to sign the orders of the Muhlenburg circuit court at the December term, 1867, and May term, 1868.

An act to incorporate a turnpike road company to construct a road from Pleasant Hill to the Boyle county line.

An act for the benefit of Sanford M. Collins, of Mason county.

An act for the benefit of Joseph A. Foree, of Ballard county.

An act to amend an act incorporating the Danville and Pleasant Hill turnpike, approved 11th of February, 1854.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Institution for the Education of Idiots and Feeble-minded Children.

2. An act to incorporate the Mutual Aid Association of the Improved Order of Red Men of the State of Kentucky.

3. An act to amend an act, entitled "An act to incorporate the Western Insurance Company."

4. An act to incorporate the Falls City German Mutual Fire Insurance Association, in Louisville, Kentucky.

5. An act to incorporate the Working Men's Mutual Relief Association of Kentucky.

6. An act to incorporate the Louisville Improvement Company.

7. An act to incorporate the Mutual Aid Society of the Employees of the Louisville and Nashville railroad company, of Louisville, Kentucky.

8. An act to incorporate the St. Leopold's German Roman Catholic Benevolent Society, of Louisville.

9. An act declaring the Woodford Weekly, a paper published at Versailles, Kentucky, an authorized newspaper in this Commonwealth.

10. An act to amend the charter of the Union and Richwood turnpike road company, in Boone county.

11. An act to incorporate Pleasant Ridge Institute, in Boone county.

12. An act to amend and reduce into one all the general acts in regard to the town of Foster, in Bracken county.

13. An act to incorporate the Ford's Mill and Kentucky River turnpike company.

14. An act to incorporate the German Roman Catholic St. Aloysius Benevolent Society, of Covington.

15. An act to amend the charter of the Independence and Big Bone turnpike company.

16. An act to amend an act, entitled "An act to incorporate the Versailles and McCracken's Mill turnpike road company.

17. An act to incorporate Grace Church, Louisville.

18. An act to incorporate the Mercer County Agricultural and Mechanical Association.

19. An act to incorporate the Louisville Brick and Building Company.

20. An act to incorporate the General Building Association, of Covington.

21. An act to incorporate Horton Division, No. 8, Sons of Temperance.

22. An act to incorporate the Richmond Printing Company.

23. An act to incorporate the Richmond Hotel Company.

24. An act to incorporate Olive Branch Division, No. 21, Sons of Temperance.

25. An act to amend the charter of the city of Covington.

26. An act to amend the charter of Allensville.

27. An act to amend the charter of the town of Elkton.

28. An act to incorporate the Bourbon Library Association.

29. An act to repeal an act, entitled "An act to incorporate the Stony Point Academy Boarding-house," approved February 5, 1866.

30. An act to incorporate the Cloverport and Rock Lick turnpike road company.

31. An act to incorporate the town of Lusby, in Owen county.

32. An act to amend the charter of the Foster turnpike road company.

33. An act to incorporate the Bracken and Pendleton turnpike road company.

34. An act to incorporate the Henry County Agricultural and Mechanical Association.

35. An act to incorporate the Stone-masons' Benevolent Society, of Covington.

36. An act to amend an act, entitled "An act to incorporate the Paducah, Benton, and Murray Gravel Road Company.

37. An act to amend an act to establish the Mechanics' Institute in the city of Paducah.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 11th to the Committee on Education; the 2d, 5th, 9th, 21st, 22d, 23d, 24th, 26th, 27th, 28th, 29th, 30th, and 31st to the Committee on Revised Statutes; the 3d, 4th, 6th, 7th, 8th, 12th, 14th, 20th, 25th, 35th, 36th, and 37th to the Committee on the Judiciary; the 10th, 13th, 15th, 16th, 32d, and 33d to the Committee on Internal Improvement; the 17th to the Com-

mittee on Religion, and the 18th, 19th, and 34th to the Committee on Agriculture and Manufactures.

Mr. W. J. Worthington presented the petition of sundry citizens of Greenup county, praying the passage of an act amending the laws governing the town of Greenupsburg.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Bullitt County turnpike road company.

An act to amend section 3 of article 2 of chapter 32 of Revised Statutes.

An act authorizing the Hancock county court to grant administration on the estate of Joseph F. Wilson, deceased.

An act to repeal so much of section 14, chapter 67, title "Mills," of Revised Statutes, as applies to the town of Salyersville, in Magoffin county.

An act to amend article 4, chapter 55, of Revised Statutes, entitled "Mode of Summoning Petit Jurors—Jury Commissioners."

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Leslie, from the Committee on Finance—

1. A bill to provide for the revision of the revenue laws.

By Mr. Alexander, from the Committee on Internal Improvement—

2. A bill to incorporate the Shepherdsville, Bardstown Junction, and Pitt's Point turnpike road company.

By same—

3. A bill to incorporate the Blue Lick turnpike road company.

By same—

4. A bill to amend the charter of the Lexington, Harrodsburg, and Perryville turnpike road company.

By same—

5. A bill to incorporate the Cabin Creek turnpike road company, and to levy a tax to aid in building said road.

By Mr. Standeford, from the same committee—

6. A bill to amend the charter of the Louisville turnpike company.

By Mr. Swigert, from the same committee—

7. A bill directing the Commissioners of the Sinking Fund to lease the improvements of the Kentucky river.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and made the special order of the day for Friday, the 29th inst.; the 7th was ordered to be printed, and made the special order of the day for Tuesday, the 26th inst., at 10 o'clock, and the 2d, 3d, 4th, 5th, and 6th of said bills were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Leslie, from the Committee on Finance—

An act to amend sections 2 and 3 of an act to amend the several acts in relation to peddlers.

By Mr. Alexander, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to amend the charter of the Covington and Lexington turnpike road company."

With the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the Shelby railroad company, and to authorize certain counties to take stock in the same,

Reported the same without amendment.

Mr. Vories moved to postpone the further consideration of said bill until Friday next, at 10½ o'clock.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vories and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	P. H. Leslie,	A. C. Vallandingham,
Tho. P. Cardwell,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	W. H. Payne,	W. J. Worthington—14.
Joseph Gardner,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	E. D. Standeford,
Jos. M. Alexander,	O. P. Johnson,	Philip Swigert,
John B. Bruner,	Henry C. Lilly,	I. C. Wintrey,
John G. Carlisle,	John W. F. Parker,	C. T. Worthington—13.
Jos. H. Chandler,		

The Senate took up for consideration the bill to prohibit judges of circuit courts, courts of common pleas, and criminal courts, from practicing law, except in certain cases.

Together with the amendments heretofore proposed.

The original bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall be unlawful for any judge of any circuit court, court of common pleas, or criminal court, to practice law in any court of this Commonwealth, either of original or appellate jurisdiction, except in cases where he is himself a party, or was retained before his election or appointment and qualification as judge; and if any judge shall violate the provisions of this act he shall be liable to impeachment and removal from office.

§ 2. That this act shall take effect from and after its passage.

The amendment proposed by the committee to whom said bill had been referred reads as follows, viz:

Strike out all after the enacting clause and insert—

§ 1. That hereafter it shall be unlawful for any person to practice law in any of the courts of this Commonwealth of which he is the judge, except in cases in which he is a party to the action, or in any court from which, by law, an appeal may be taken to or from the court of which he is the judge.

§ 2. That any person violating the provisions of this act shall, on indictment by the grand jury, be fined, at the discretion of the jury, in any sum not exceeding the sum of one thousand dollars.

§ 3. That this act shall take effect from and after its passage.

The amendment proposed by Mr. Carlisle to the amendment proposed by the committee as a substitute for the original bill reads as follows, viz:

At the end of the first section insert—

Provided, That nothing in this act shall be so construed as to pro-

hibit any judge from practicing law in any case in which he was retained before his election or appointment as judge.

The question was then taken on the adoption of the amendment proposed by Mr. Carlisle, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and O. P. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	P. H. Leslie,	Philip Swigert,
Tho. P. Cardwell,	W. Lindsay.	A. C. Vallandingham,
John G. Carlisle,	John W. F. Parker,	W. L. Vories,
John B. Clarke,	W. H. Payne,	C. T. Worthington—14.
O. P. Johnson,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	E. D. Standeford,
Jos. M. Alexander,	Joseph Gardner,	Oscar Turner,
A. K. Bradley,	G. A. C. Holt,	I. C. Winfrey,
John B. Bruner,	Henry C. Lilly,	W. J. Worthington—13.
Jos. H. Chandler,		

Mr. O. P. Johnson then moved to lay said bill, as amended, on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration resolutions from the House of Representatives, entitled

Resolutions in relation to the death of Gen. L. H. Rousseau.

Which read as follows, viz:

WHEREAS, It is made known to us through the public prints that Gen. Lovell H. Rousseau has recently departed this life; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That we receive with the deepest sadness the mournful intelligence of the death of our distinguished and beloved fellow-citizen, Gen. Lovell H. Rousseau.

Resolved, That, in the death of Gen. Rousseau, Kentucky, his motherland, has lost a gallant, patriotic, and cherished son; our common country has lost a brave soldier and able statesman; and liberty an advocate and friend.

Resolved, That Kentucky will ever cherish with just and generous pride the memory of his talents, virtue, and valor; and that, among our historic names, our people will point to that of Gen. Rousseau as one of the brightest and best that gilds the pages of our country's history.

Resolved. That we tender to his bereaved family our sincere sympathy and deepest condolence for this sad dispensation of Providence.

Resolved, That these resolutions be spread upon the Journals of both Houses of this General Assembly, and that a copy of the same be forwarded to the family of the deceased.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Leave was given to bring in the following bills, viz:

On motion of Mr. Clarke—

1. A bill to amend chapter 16, section 555, of the Civil Code of Practice.

On motion of Mr. C. T. Worthington—

2. A bill to suppress the practice of quackery.

On motion of Mr. Field—

3. A bill authorizing Wm. A. Cardin, James A. Sims, and John Dawson to erect a mill-dam across the Rolling Fork of Salt river.

On motion of Mr. Chandler—

4. A bill to reduce into one the several acts in relation to the sale and inspection of tobacco in the city of Louisville.

Ordered, That the Committee on the Codes of Practice prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Circuit Courts the 3d, and the Committee on Agriculture and Manufactures the 4th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to establish the county of Elliott out of parts of Morgan, Lawrence, and Carter counties;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to re-enact an act to fix the fees of sheriffs, approved February 4, 1865;

An act for the benefit of W. W. Hancock, marshal of the town of Greenville;

An act to incorporate the Paris and Ruddle's Mill turnpike road company, No. 2;

An act to authorize the trustees of the Baptist Church in Paris to sell and convey its lands, and to confirm a sale thereof made by them;

An act for the benefit of E. C. Atherton and Thomas Landram, of McLean county;

An act to create a special road law for Pendleton county;

An act to amend the charter of the Harmony and Fork turnpike road company;

An act to incorporate Lebanon Female College;

An act to incorporate the Rich Grove turnpike road company, in Christian county;

An act to establish an additional district and election precinct in Simpson county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, JANUARY 25, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to incorporate the Henderson German School Association.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in relation to printing report of Eastern Lunatic Asylum.

Which was taken up and referred to the Committee on Finance.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

An act to incorporate the St. Leopold's German Roman Catholic Benevolent Society, of Louisville.

By same—

An act to incorporate the German Roman Catholic St. Aloysius Benevolent Society, of Covington.

By same—

An act to incorporate the General Building Association of Covington.

By same—

An act to incorporate the Stone-masons' Benevolent Society, of Covington.

By same—

An act to incorporate the Mutual Aid Society of the Employees of the Louisville and Nashville railroad company, of Louisville.

By Mr. Turner, from the same committee—

An act to amend an act to establish the Mechanics' Institute in the city of Paducah.

By Mr. C. T. Worthington, from the Committee on Religion—

An act to incorporate Grace Church, Louisville.

By Mr. Carlisle, from the Committee on the Judiciary—

An act for the benefit of Evan E. Settle.

By same—

An act for the benefit of Franklin Lodge, No. 7, Independent Order of Odd Fellows.

With amendments to the two last named bills.

Which were concurred in.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act to incorporate the Louisville Improvement Company;

An act to prevent any practicing lawyer from acting as trustee of the jury fund in any court in which he practices law;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Holt, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act authorizing the Lyon county court to order a railroad election,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	John W. F. Parker,
F. M. Allison,	W. C. Halbert,	W. H. Payne,
A. K. Bradley,	G. A. C. Holt,	I. A. Spalding,
John B. Bruner,	O. P. Johnson,	W. L. Vories,
Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey,
Joseph H. Chandler,	Henry C. Lilly,	C. T. Worthington,
John B. Clarke,	W. Lindsay,	W. J. Worthington—22.
A. D. Cosby,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to provide a public guardian in certain counties.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to restore the old boundary of the district of Highlands, in Campbell county.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

A bill for the benefit of the town of Greensburg.

By same—

A bill for the benefit of Harriet N. Robinson, of Taylor county.

By Mr. Payne, from the Committee on Revised Statutes—

A bill to adopt Michael Crosby as son and heir of Peter and Ann Kelly.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, reported a bill for the benefit of Charles G. Wintersmith, judge of the late court of common pleas of the 3d judicial district.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor draw his warrant upon the Treasurer in favor of Charles G. Wintersmith, judge of the late court of common pleas for the 3d judicial district, for the balance of one year's salary unpaid, at the rate of two thousand two hundred dollars per year, which, when drawn, the Treasurer is directed to pay.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	W. H. Payne,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	W. L. Vories,
John G. Carlisle,	G. A. C. Holt,	Ben. J. Webb—16.
Jos. H. Chandler,		

Those who voted in the negative, were—

Jos. M. Alexander,	P. H. Leslie,	Oscar Turner,
Robert Boyd,	Henry C. Lilly,	I. C. Winfrey,
Tho. P. Cardwell,	W. Lindsay,	C. T. Worthington,
O. P. Johnson,	J. W. F. Parker,	W. J. Worthington—12.

So said bill was rejected.

Mr. Turner, from the Committee on the Judiciary, reported a bill for the benefit of the judge of the police court of the town of Milton, in Trimble county, and Woodville, in McCracken county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Carlisle then moved an amendment as a substitute for said bill.

Ordered, That said bill and proposed amendment be recommitted to the Committee on the Judiciary.

Mr. Turner, from the Committee on the Judiciary, reported a bill to change the time of payment of the State revenue into the Treasury, and to amend the revenue laws.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. C. T. Worthington moved to commit said bill to the Committee on Finance.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and C. T. Worthington, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	I. C. Winfrey,
A. K. Bradley,	Joseph Gardner,	C. T. Worthington—8.
John B. Bruner,	O. P. Johnson,	

Those who voted in the negative, were—

Jos. M. Alexander,	Evan M. Garriott,	John W. F. Parker,
F. M. Allison,	W. C. Halbert,	W. H. Payne,
Robert Boyd,	G. A. C. Holt,	I. A. Spalding,
Tho. P. Cardwell,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
Joseph H. Chandler,	W. Lindsay,	Ben. J. Webb—19.
John B. Clarke,		

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sheriff shall account for and pay all taxes for which he is bound into the State Treasury by the first day of June, 1870, and by the first day of June in each year thereafter; and, upon his failure to do so, he and his sureties shall be liable therefor, and shall be proceeded against in the same manner as is now prescribed by law.

§ 2. That hereafter a quietus by the Auditor, for the revenue tax of the preceding year, shall be produced by each sheriff to the county court at the June, July, or August terms, instead of the time now prescribed by law.

§ 3. So much of all laws as conflict with the foregoing act are hereby repealed.

§ 4. This act to take effect from and after its passage.

Mr. Vories then moved that said bill be printed, and made the special order of the day for Friday next, the 29th inst.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Tho. P. Cardwell,	W. L. Vories,
F. M. Allison,	P. H. Leslie,	Ben. J. Webb,
Robert Boyd,	W. Lindsay,	I. C. Winfrey,
A. K. Bradley,	I. A. Spalding,	C. T. Worthington—12.

Those who voted in the negative, were—

Joseph M. Alexander,	A. D. Cosby,	Jno. W. F. Parker,
John B. Bruner,	Evan M. Garriott,	W. H. Payne,
John G. Carlisle,	W. C. Halbert,	Oscar Turner,
Jos. H. Chandler,	G. A. C. Holt,	W. J. Worthington—14.
John B. Clarke,	Henry C. Lilly,	

Ordered, That said bill be read a third time.

The question was then taken upon dispensing with the third reading of said bill, and it was decided in the negative.

Ordered, That said bill be printed, and made the special order of the day for Saturday next, the 30th inst.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to extend the charter of the Louisville Gas Company," approved January 30, 1868.

An act to authorize the Logan county court to increase the county levy for the year 1869.

An act for the benefit of Benoni Mills, late sheriff of Wayne county.

An act for the benefit of the trustees of the Methodist Episcopal Church of Madisonville.

An act to allow James E. Wright, late clerk of the Logan circuit and county courts, further time to collect his fee bills.

An act to amend section 3, article 7, chapter 55, of the Revised Statutes.

An act to amend an act, entitled "An act to amend the charter of the Mayslick and Helena turnpike road."

An act to amend the charter of the Shelbyville and Bardstown turnpike road company.

An act for the benefit of the United Baptist Church at Lebanon.

An act for the benefit of the common school system.

An act for the benefit of the city of Frankfort.

An act to extend the charter of the Blandville and Cairo Gravel road company to Mayfield, in Graves county.

An act for the benefit of John M. Duke, jr., late clerk of the Mason circuit court.

An act to incorporate the Pendleton and Washington Trace turnpike road company.

An act to amend the charter of the Massie's Mill turnpike road company.

Resolution in favor of Mrs. L. B. Helm.

The Senate took up for consideration bills from the House of Representatives, of the following titles, viz:

1. An act to charter the Metropolis and Union City railroad company.

2. An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways," as applies to the counties of Boyd, Lawrence, Johnson, Floyd, and Pike.

3. An act for the sale of the real estate, or a portion thereof, of decedents, to pay the debts of decedents in certain cases.

4. An act to establish the office of interpreter for the Jefferson circuit court.

5. An act for the benefit of Wm. Gresham.

Ordered, That the 1st of said bills be made the special order of the day for Monday, the 1st of February; that the 2d be referred to the Committee on Revised Statutes, and that the 3d, 4th, and 5th be referred to the Committee on the Judiciary.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

An act to amend an act, entitled "An act to enlarge the town of Bowling Green."

An act to incorporate the Mount Carmel Cemetery, in Fleming county.

Which amendments were twice read and concurred in.

The Senate also took up for consideration the following bills, viz:

1. A bill to provide for the sale of the stock of the State of Kentucky in the Louisville and Salt River turnpike road company.

2. A bill to provide for the compensation of jurors in quarterly, magistrates', and police courts in civil cases.

3. A bill for the benefit of Hugh F. Finley, Commonwealth's Attorney for the 12th judicial district.

Ordered, That the 1st be referred to the Committee on Internal Improvement, and the 2d and 3d be laid upon the table.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Elizabethtown, Lexington, and Big Sandy railroad company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the penal and criminal laws of this State;

An act to incorporate the German Evangelical Lutheran St. Paul's Church of Paducah;

An act for the benefit of Elijah Litton, late sheriff of Whitley county;

An act for the benefit of Henry Farmer, of Ballard county;

An act chartering the Cassady Creek turnpike road company, in Nicholas and Bath counties;

An act to amend article 5 of an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867;

An act to repeal an act, entitled "An act to establish a ferry across the Cumberland river at Eddyville," approved March 9, 1868;

An act for the benefit of John L. Slavin, sheriff of Garrard county;

An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved February 28, 1862;

An act for changing the days of holding quarterly court in Webster county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty..

Leave was given to bring in the following bills, viz:

On motion of Mr. Clarke—

1. A bill to amend the charter of Brooksville, in Bracken county.

On motion of Mr. Payne—

2. A bill in relation to the assessment, collection, and payment of taxes in this Commonwealth.

On motion of Mr. Alexander—

3. A bill for the benefit of Dr. A. J. Landsdown, of Carter county.

On motion of Mr. W. J. Worthington—

4. A bill to amend the charter of the Iron Hills railway company.

On motion of Mr. Winfrey—

5. A bill for the benefit of W. F. Harrison, of Clinton county.

On motion of Mr. Swigert—

6. A bill for the benefit of John Moore, of Franklin county.

On motion of Mr. Parker—

7. A bill to clear out the South Fork of Cumberland river.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Finance the 2d, 3d, 5th, and 6th, and the Committee on Internal Improvement the 4th and 7th.

Mr. Gardner presented the petition of numerous citizens of Morgan county, asking a transfer of a portion of said county to the county of Wolfe.

Which were received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Chandler read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present General Assembly adjourn *sine die* on the 16th day of February, 1869, at 1 o'clock, P. M.

And then the Senate adjourned.

TUESDAY, JANUARY 26, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate Mozart Lodge, No. 149, Independent Order of Odd Fellows, at Louisville.

An act to amend the charter of the town of Bardstown.

An act to incorporate the German Building Association of Covington.

An act to amend and reduce into one all acts in regard to the town of Concord, in Lewis county.

With amendments to the last two named bills.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the late clerks, late sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

2. An act to charter the Rio Bridge Company, in Hart county.

3. An act to amend section 1, article 2, chapter 47, of the Revised Statutes, title "Husband and Wife."

4. An act to amend the 2d subdivision of section 96, Criminal Code, and said section.

5. An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company.

6. An act to incorporate the Cloverport and Panther Creek turnpike road company.

7. An act to incorporate the Willow Creek Navigation Company, in Ballard county.

8. An act to incorporate Minnehaha Tribe, No. 10, Independent Order of Red Men.

9. An act to incorporate the Mutual and Benevolent Police Union of Kentucky.

10. An act to amend the several acts in regard to the town of Benton.

11. An act to amend the charter of Clayvillage.

12. An act to incorporate Portland Lodge, No. 138, Independent Order of Odd Fellows.

13. An act to incorporate the Big Sandy Lumber and Improvement Company.

14. An act to amend the charter of the town of North Middletown.

15. An act for the benefit of the clerk of the Mercer county court.

16. An act for the benefit of the Mercer circuit clerk.

17. An act to charter the St. Patrick's Benevolent Society of Newport.

18. An act to charter the Building or Accumulating Fund Association of Newport.

19. An act to incorporate the Brick-layers' Union, No. 2, of Covington.

20. An act to incorporate the Burlington and Hebron turnpike road company.

21. An act to charter the Lexington and Carter County Mining Company.

22. An act to abolish civil district No. 5, Metcalfe county.

23. An act for the benefit of Daniel W. Hudson, of Ballard county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 23d to the Committee on Finance; the 2d, 5th, 7th, and 20th to the Committee on Internal Improvement; the 3d, 6th, 8th, 9th, 10th, 11th, 12th, and 13th to the Committee on Revised Statutes; the 4th to the Committee on the Codes of Practice; the 14th, 15th, and 16th to the Committee on Circuit Courts; the 17th, 18th, and 19th to the Committee on the Judiciary; the 21st to the Committee on Agriculture and Manufactures, and the 22d to the Committee on County Courts.

Leave was given to bring in the following bills, viz:

On motion of Mr. Martin—

1. A bill chartering the Claysville and Mount Olivet turnpike road company.

On motion of same—

2. A bill amending the charter of the Maysville and Lexington rail road company.

On motion of same—

3. A bill for the benefit of Everett Stout.

On motion of Mr. Standeford—

4. A bill to incorporate the German Odd Fellows' Mutual Life Insurance Association, of Louisville.

On motion of Mr. Holt—

5. A bill to amend an act, entitled "An act to incorporate the Calloway Male and Female Institute."

On motion of Mr. Lindsay—

6. A bill for the benefit of Thomas G. Poore, late master commissioner for the Hickman circuit court.

On motion of same—

7. A bill for the benefit of T. G. Poore, late clerk of the Hickman circuit court.

On motion of Mr. Garriott—

8. A bill for the benefit of the deaf and dumb mutes of the State.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 2d, and 5th; the Committee on Propositions and Grievances the 3d and 8th; the Committee on the Judiciary the 4th and 7th, and the Committee on Finance the 6th.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

An act to incorporate the Mercer County Agricultural and Mechanical Association.

By Mr. W. J. Worthington, from the same committee—

An act to incorporate the Henry County Agricultural and Mechanical Association.

By Mr. Field, from the Committee on Circuit Courts—

An act to amend an act approved 9th March, 1868, entitled "An act to fix the time for holding the circuit, criminal, and equity courts in this Commonwealth."

By Mr. Webb, from the Committee on Education—

An act to incorporate Pleasant Ridge Institute, in Boone county.

By Mr. Alexander, from the Committee on Internal Improvement—

An act to incorporate the Bracken and Pendleton turnpike road company.

By same—

An act to legalize the proceedings of the Bowling Green Building Company.

By same—

An act to amend the charter of the Independence and Big Bone turnpike road company.

By same—

An act to amend the charter of the Union and Richwood turnpike road company, in Boone county.

By same—

An act to amend the charter of the Foster turnpike road company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Robert McAllister, late sheriff of Greenup county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. T. Martin,
Jos. M. Alexander,	Joseph Gardner,	John W. F. Parker,
F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
R. T. Baker,	W. C. Halbert,	E. D. Standeford,
Robert Boyd,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	W. L. Vories,
Tho. P. Cardwell,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	Henry C. Lilly,	I. C. Winfrey,
A. D. Cosby,	W. Lindsay,	W. J. Worthington—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the sureties in the revenue bond of Tho. H. Estis, sheriff of Hancock county for the year 1867,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, At the last June term of the Franklin circuit court a judgment was rendered against Thomas H. Estis, sheriff of Hancock county, and his sureties, for an unpaid balance of the revenue for 1867, which judgment and damages, to the amount of five hundred and seventy-five dollars ($575 86) and eighty-six cents, were paid by said sureties; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasurer in favor of J. M. Estis, W. Q. Johnson, R. A. J. Estis, George Smith, and R. C. Beauchamp, sureties of T. H. Estis, sheriff of Hancock county, in his revenue bond for 1867, for the sum of five hundred and seventy-five dollars and eighty-six cents, the amount of damages paid by them on account of the defalcation of said sheriff to the State, to be paid out of any money not otherwise appropriated.

§ 2. That this act take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	P. H. Leslie,
Jos. M. Alexander,	A. D. Cosby,	I. T. Martin,
F. M. Allison,	Wm. A. Dudley,	E. D. Standeford,
Robert Boyd,	A. H. Field,	W. L. Vories,
A. K. Bradley,	Joseph Gardner,	Ben. J. Webb,
John B. Bruner,	Evan M. Garriott,	I. C. Winfrey,
Tho. P. Cardwell,	W. C. Halbert,	W. J. Worthington—23.
John G. Carlisle,	O. P. Johnson,	

In the negative—G. A. C. Holt.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Field, from the Committee on Circuit Courts—

A bill to amend an act, entitled "An act to amend the Bardstown and Louisville railroad company," approved March 6, 1856.

By same—

A bill for the benefit of Taylor W. Samuels, late sheriff of Nelson county.

By same—

A bill authorizing Wm. A. Cardin, James A. Sims, and John Dawson to erect a mill-dam across the Rolling Fork of Salt river.

By Mr. Payne, from the Committee on Education—

A bill to amend the charter of the Green River Female College.

By Mr. Leslie, from the Committee on Finance—

A bill for the benefit of A. J. Landsdown.

By same—

A bill for the benefit of the sureties of Wm. Herrin, late sheriff of Fulton county.

By same—

A bill for the benefit of John and Mary E. Seaton, of Greenup county.

By same—

A bill for the benefit of W. M. Rhea.

By same—

A bill for the benefit of Elizabeth Hardin.

By same—

A bill for the benefit of Leslie Johnson, late sheriff of Letcher county.

By same—

A bill to amend the charter of the Glasgow railroad company.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to incorporate Venus Lodge, No. 154, Independent Order of Odd Fellows, at Florence, Boone county.

By same—

A bill to amend the charter of the Iron Hill railway company, and the title thereof.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 26, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

Byron Bacon, of Jefferson county.
Thomas Mitchell, of Jefferson county.
E. R. Coleman, of Jefferson county.
Thomas N. Eastin, of Jefferson county.
George S. Webster, of Jefferson county.
John St. J. Boyle, of Jefferson county.
John Roberts, of Jefferson county.
W. F. Barrett, of Jefferson county.
Theo. L. Burnett, of Jefferson county.
John W. Owings, of Jefferson county.
D. G. Venable, of Jefferson county.
Arthur Carey, of Jefferson county.
Josiah Harris, of McCracken county.
Clarence J. Greathouse, of Woodford county.
J. C. Howard, of Kenton county.
L. W. Andrews, of Fleming county.
Joseph Ricketts, of Muhlenburg county.
J. W. Cochran, of Fayette county.
H. Cox, of Carroll county.
A. T. Dudley, of Henderson county.
J. B. Russell, of Green county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

Mr. Leslie, from the Committee on Finance, reported the following bills, viz:

1. A bill to provide expenses to the Governor when absent from the Seat of Government on business of the State.

2. A bill concerning moneys subject to the order of the courts of this Commonwealth.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was ordered to be printed and placed in the orders of the day, and the 1st was ordered to be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever the Governor of this Commonwealth shall leave the city of Frankfort upon the business of the State of Kentucky, he shall be paid by the State all his expenses of travel and otherwise while so absent; and the Auditor of Public Accounts is directed to

draw his warrant upon the Treasurer in favor of the Governor for such sum as he may certify as having been expended by him, from time to time, for the purposes aforesaid; and the same is directed to be paid to him by the Treasurer.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. A. Spalding,
Jos. M. Alexander,	A. H. Field,	E. D. Standeford,
F. M. Allison,	Evan M. Garriott,	Oscar Turner,
R. T. Baker,	W. C. Halbert,	A. C. Vallandingham,
A. K Bradley,	G. A. C. Holt,	W. L. Vories,
John B. Bruner,	P. H. Leslie,	Ben. J. Webb,
John G. Carlisle,	W. Lindsay,	I. C. Winfrey,
Joseph H. Chandler,	I. T. Martin,	W. J. Worthington—25.
A. D. Cosby,		

Those who voted in the negative, were—

Robert Boyd, O. P. Johnson—2.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the report of the Committee on Finance in relation to a bill from the House of Representatives, which had been referred to them, entitled

An act for the benefit of Uniontown,

Which report was, that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the revenue due the State, or imposed for State purposes, except that going to the Sinking Fund and Common School Fund, in the town of Uniontown, in the county of Union, for and during the term of ten years, be, and the same is hereby, dedicated and set apart to the construction, improvement, grading, and paving the wharves in said town; and the several sheriffs of the said county shall, during said period, pay to the chairman of the board of trustees of said town, annually, the portion of said taxes hereby surrendered to said town, under the same penalties and liabilities, and to be enforced in the same manner, now provided by law in favor of the State; and the taxes thus surrendered shall be held and used for the purposes aforesaid, and no other.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	John W. F. Parker,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
R. T. Baker,	Evan M. Garriott,	E. D. Standeford,
A. K. Bradley,	W. C. Halbert,	Oscar Turner,
Tho. P. Cardwell,	G. A. C. Holt,	Ben. J. Webb,
John G. Carlisle,	Henry C. Lilly,	I. C. Winfrey—20.
Jos. H. Chandler,	W. Lindsay.	

Those who voted in the negative, were—

Robert Boyd,	O. P. Johnson,	P. H. Leslie—4.
John B. Bruner,		

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, the 4th of February next.

The Senate, according to order, took up for consideration a bill directing the Commissioners of the Sinking Fund to lease the improvements of the Kentucky river.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund shall, after having first advertised for thirty days in two or more newspapers published in the city of Louisville, and in one or more newspapers published in the city of Frankfort, offer for lease, for a term of fifty years, all the locks, dams, lock-houses, tools, implements, apparatus, and materials, of every kind and description, now belonging to, forming part of, or in anywise used in connection with, the slackwater improvements of the Kentucky river.

§ 2. That such lease shall be executed by the Commissioners of the Sinking Fund to the highest and best bidder, who shall agree to pay to the Commissioners of the Sinking Fund, for the use of the Commonwealth, a stipulated annual rental, being the amount of such bid by the lessee.

§ 3. That such lease shall be made at public auction at the courthouse door, in the city of Frankfort, after advertisement first made as provided in the first section of this act. But no person or corporation shall be entitled to demand a lease, under the terms of this act, who shall not satisfy the Commissioners of the Sinking Fund of his or its ability and intention, in good faith, to complete the slackwater navigation of the Kentucky river, by substantial and permanent locks and dams, to the Three Forks of said river; and who shall fail to satisfy

the commissioners that a *bona fide* stock of at least $300,000 has been subscribed by responsible parties to the object of said improvement.

§ 4. The Commissioners of the Sinking Fund shall, in awarding said lease, and in determining the goodness and worth of bids, have regard to the franchises already conferred by law upon the Kentucky River Navigation Company, and other things being equal, shall give said corporation a preference in the bidding.

§ 5. That said lease shall contain a clause of renewal, at the option of the lessee, for fifty years additional to the term of said lease: *Provided*, That the annual rental stipulated in the lease shall be doubled during the period for which the same may be renewed.

§ 6. That if the lessee shall fail, for sixty days after the award of said lease, to commence, in good faith, the extension of slackwater improvements on said river, then the lease shall be void, and the same shall be forfeit to the Commonwealth.

§ 7. That the lease hereinbefore mentioned shall be drafted by the Attorney General, with proper covenants to secure the navigation of said river and purposes in view, and shall be signed by the Governor in behalf of the Commissioners of the Sinking Fund. It may be recorded by the lessee in the office of the county court of Franklin county, and copies certified under seal of said court shall be deemed authentic, and of full force as the original. A duplicate of said lease shall be filed with the Auditor of State.

§ 8. The Governor of the State shall, at the request of the lessee, or his authorized agent, transfer and deliver all the locks, dams, lock-houses, tools, materials, implements, and apparatus of the Kentucky river slackwater improvements, to the lessee, by proclamation to that effect, according to the terms of said lease, after the same shall have been fully executed.

§ 9. This act to take effect from and after its passage.

Mr. Leslie then moved to amend said bill by striking out the fifth section thereof.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Field, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. Lindsay,
F. M. Allison,	A. H. Field,	John W. F. Parker,
A. K. Bradley,	Evan M. Garriott,	E. D. Standeford,
John B. Bruner,	G. A. C. Holt,	Oscar Turner,
John G. Carlisle,	O. P. Johnson,	A. C. Vallandingham,
Jos. H. Chandler,	P. H. Leslie,	W. L. Vories—19.
John B. Clarke,		

Those who voted in the negative, were—

Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	Henry C. Lilly,	Ben. J. Webb,
Wm. A. Dudley,	I. T. Martin,	I. C. Winfrey,
Joseph Gardner,	I. A. Spalding,	W. J. Worthington—12.

Mr. Turner then moved to amend the bill as follows:

In section one, line three, strike out the word "thirty" before the word "days," and insert the word "sixty."

And the question being taken thereon, it was decided in the negative.

Mr. Turner then moved to amend said bill as follows:

Section one, line five, after the word "Frankfort," and before the word "offer," insert "and in some eastern newspaper."

And the question being taken thereon, it was decided in the negative.

Mr. Turner then moved to amend the bill as follows:

Add to the first section of the bill the following proviso:

Provided, That it shall be discretionary with the commissioners whether they accept the bid at the first leasing or not; and if rejected, they shall readvertise and lease as hereinbefore provided.

Which was adopted.

Mr. Carlisle then moved to add to the bill the following additional section, viz:

§ 9. That the lessee or lessees of said work shall not, at any time during the continuance of the lease, charge or receive a higher rate of toll than is now allowed by the charter of the Kentucky River Navigation Company.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Holt moved to reconsider the vote by which the Senate on yesterday passed a bill, which originated in the House of Representatives, entitled

An act authorizing the Lyon county court to order a railroad election.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on the Judiciary.

Mr. Carlisle moved to reconsider the vote by which the Senate on yesterday disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to prevent any practicing lawyer from acting as trustee of the jury fund in any court in which he practices law.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution in regard to printing report of the Trustees of the Institution for the Education of the Blind.

Said resolution was placed in the orders of the day.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Shepherdsville, Bullitt's Lick, and Pitt's Point turnpike road;

An act to amend an act incorporating the Cynthiana Burial Association;

An act to incorporate the Louisville Medical College;

An act to amend the charter of the Louisville Cement and Water Power Company;

An act to amend an act, entitled "An act to enlarge the town of Bowling Green;"

An act to incorporate the Mount Carmel Cemetery, in Fleming county;

An act to amend the charter of the town of Clinton;

An act to incorporate the town of Morehead;

An act to incorporate the Louisville and New Orleans Transportation Company;

An act to amend the charter of the Louisville Journal Company;

An act to incorporate the Paducah and Clark's River Railway, Lumber, and Mining and Manufacturing Company;

An act to amend an act incorporating the Bardstown and Bloomfield turnpike road company;

An act to amend the charter of the city of Lexington;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John T. Thompson;

An act increasing the powers and jurisdiction of the constable of the 1st district, in Larue county;

An act authorizing the county court of Pendleton county to close certain alleys upon the public grounds;

An act to change the time of holding the Woodford county court, and providing for the holding of the court of claims for Woodford county;

An act to amend an act, entitled "An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes;"

An act to repeal an act, entitled "An act to change the time of holding justices of the peace courts in Washington county," approved 9th of March, 1868, and to fix the time of holding the same;

An act to authorize the county court of Crittenden county to levy an additional tax;

An act authorizing the county court of Graves county to sell the poor-house and lands, and to invest the proceeds thereof;

An act to incorporate Cloverport Cemetery Company;

An act for the benefit of John S. Gallagher;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, JANUARY 27, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to amend the charter of the Covington and Cincinnati Bridge Company.

With amendments to said bill.

Which were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to provide for the erection of fire-proof offices at the Seat of Government.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Public Buildings.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Swigert, from the Committee on Internal Improvement—

An act to incorporate the Ford's Mill and Kentucky River turnpike company.

By same—

An act to amend an act, entitled "An act to incorporate the Versailles and McCracken's Mill turnpike road company."

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend and reduce into one all the several acts in regard to the town of Foster, in Bracken county.

By same—

An act to incorporate the Brick-layers' Union, No. 2, of Covington.

By Mr. Baker, from the same committee—

An act to charter the St. Patrick's Benevolent Society of Newport.

By same—

An act to charter the Building or Accumulating Fund Association of Newport.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Swigert, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled,

An act to improve the navigation of Licking river,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of seventy-five thousand dollars be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of removing the mill-dams and other obstructions to the navigation of the Licking river, from Salyersville, in Magoffin county, to the mouth of said river.

§ 2. That M. D. Martin, of Harrison county, Moses Kirk, of Fleming, and William Mynhier, of Morgan, any two of whom may act, are appointed commissioners, and are authorized to go upon said river, from its mouth to said Salyersville, and examine the obstructions which may exist to the free and safe navigation of said river between said points; and whenever, in their judgment, any dam, rock, or other obstruction, exists, and ought to be removed, they shall proceed, in the manner hereafter described, to remove said obstruction or obstructions from said river.

§ 3. The said commissioners may negotiate with the owner or owners of any mill-dam or dams, whose interests are to be injuriously affected by the removal thereof, and agree upon the amount of damages, if any, to be paid therefor; but if such agreement cannot be made, the said commissioners may apply to the clerk of the county court of the county in which the mill of such dam or dams may be, and sue out a writ of *ad quod damnum* to condemn the said dam or dams, and have the damages assessed by a fair and impartial jury, as land is condemned and damages assessed for turnpike roads by the laws now in force.

§ 4. The said commissioners shall enter upon the discharge of their duties in the month of May or June next, and shall use diligence in the prosecution of the work. They shall severally receive, for each day that they are actually employed, as compensation, the sum of five dollars; but, before they enter upon their duties, each one, in the county court of the county where he resides, shall enter into bond, with sufficient security, for the faithful performance thereof.

§ 5. The Auditor of Public Accounts, upon the requisition of the commissioners, accompanied with a certified copy of their bond, is authorized to draw his warrant upon the Treasury for such sums of money as may be necessary to pay their contracts and expenses, not exceeding the amount above appropriated; and a vacancy in the

commission, from any cause, may be filled by appointment of the Governor.

§ 6. They shall make a full report of all their acts and doings at the next session of the Legislature.

§ 7. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	O. P. Johnson,	H. Thompson,
Robert Boyd,	Henry C. Lilly,	A. C. Vallandingham,
Tho. P. Cardwell,	I. T. Martin,	W. L. Vories,
John G. Carlisle,	J. W. F. Parker,	W. J. Worthington—23.
John B. Clarke,	W. H. Payne,	

Those who voted in the negative, were—

A. K. Bradley,	Evan M. Garriott,	Oscar Turner,
John B. Bruner,	P. H. Leslie,	Ben. J. Webb,
Jos. H. Chandler,	W. Lindsay,	I. C. Winfrey—10.
Lyttleton Cooke,		

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act to incorporate the "Branch of the Widow's Son," at Red Hill, Allen county;

An act providing for the sale of the real estate, or a portion thereof, of decedents, to pay the debts of decedents in certain cases;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Western Insurance Company,"

Reported the same, with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be placed in the orders of the day.

Mr. Winfrey moved a reconsideration of the vote by which the Senate, on the 25th inst., rejected a bill for the benefit of Chas. G. Wintersmith, judge of the late court of common pleas of the 3d judicial district.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Said bill reads as follows, viz :

[*For bill—see Senate Journal, page* 152.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
R. T. Baker,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	Harrison Thompson,
Jno. G. Carlisle,	G. A. C. Holt,	A. C. Vallandingham,
John B. Clarke,	I. T. Martin,	W. L. Vories,
Lyttleton Cooke,	W. H. Payne,	W. J. Worthington—22.
Wm. A. Dudley,		

Those who voted in the negative, were—

Robert Boyd,	P. H. Leslie,	Jno. W. F. Parker,
Tho. P. Cardwell,	Henry C. Lilly,	Oscar Turner,
O. P. Johnson,	W. Lindsay,	I. C. Winfrey—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle moved to reconsider the vote by which the Senate on yesterday passed a bill from the House of Representatives, entitled

An act to legalize the proceedings of the Bowling Green Building Company.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on the Judiciary.

The Senate took up for consideration a bill amending an act, entitled "An act to lease the Kentucky Penitentiary," approved 9th March, 1867.

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

Ordered, That the further consideration of said bill be postponed until to-morrow.

Mr. Turner, from the Committee on the Judiciary, to whom had been referred a bill for the benefit of the judge of the police court of the town of Milton, in Trimble county, and Woodville, in McCracken county,

Reported the same without amendment.

On motion of Mr. Leslie, said bill was laid upon the table.

Mr. Carlisle asked to be discharged from the further consideration of a leave to them referred to bring in a bill for the benefit of James Wilson and others.

Which was granted.

The following bills were reported by the several committees directed to prepare and bring in the same, viz :

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend the charter of the town of Brooksville, in Bracken county.

By same—

A bill to incorporate the Odd Fellows' Temple Association, of Lexington.

By same—

A bill to amend an act, entitled "An act to regulate the office of commissioner and receiver of the Louisville chancery court."

By Mr. Turner, from the same committee—

A bill for the benefit of T. G. Poore, late clerk of the Hickman circuit court.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Halbert moved the following resolution, viz:

Resolved, That the Committee on Finance be instructed to inquire into the propriety of bringing in a bill appropriating to the widow of the late James H. Garrard, deceased, one year's salary as Treasurer of the State.

Which was adopted.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Medical College.

An act to amend the charter of the city of Lexington.

An act to incorporate the Shepherdsville, Bullitt's Lick, and Pitt's Point turnpike road company.

An act to amend an act incorporating the Cynthiana Burial Association.

An act to incorporate the Paducah and Clark's River Railroad, Lumber, and Mining and Manufacturing Company.

An act to incorporate the town of Morehead.

An act to amend the charter of the Louisville Cement and Water Power Company.

An act to amend the charter of the Louisville Journal Company.

An act to amend an act incorporating the Bardstown and Bloomfield turnpike road company.

An act to amend the charter of the town of Clinton.

An act to incorporate the Louisville and New Orleans Transportation Company.

An act to incorporate the Mount Carmel Cemetery, in Fleming county.

An act to amend the act, entitled "An act to enlarge the town of Bowling Green."

An act to establish the county of Elliott out of parts of Morgan, Lawrence, and Carter counties.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of F. M. Allison, late clerk of the Butler county and circuit courts;

An act for the benefit of the Shelby circuit clerk;

An act for the benefit of the clerk of the Nicholas circuit court;

An act for the establishment of a pauper-house in Hancock county;

An act for the benefit of R. W. Wilson, clerk of the Crittenden county court;

An act to legalize the proceedings of the Boone county court at its October term, 1868, and its January term, 1869;

An act for the benefit of the court of claims of Clinton county;

An act for the benefit of the Crittenden county court;

An act for the benefit of the McCracken county court;

An act for the benefit of Wm. Lykins, late judge of the Morgan county and quarterly courts;

An act to amend an act, entitled "An act to authorize the county court of Scott county to increase the county levy," &c., approved February 27, 1867;

An act to change the time of holding the civil terms of the police court of Elizabethtown;

An act for the benefit of Boyd county;

An act to change the time of holding the county and quarterly courts of Pike county;

An act to regulate the time of holding county and quarterly courts in Jackson county;

An act to increase the jurisdiction of justices of the peace in civil district No. 4, in Fulton county;

An act to amend an act, entitled "An act fixing the time for holding the circuit, criminal, and equity courts of this Commonwealth;"

An act to regulate the election of the sinking fund commissioners in Hart county;

An act to change the time of holding the Washington quarterly court;

An act to change the time of holding the quarterly courts of Ma[illegible]n county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Turner—

1. A bill to incorporate the Paducah Water-works Company.

On motion of same—

2. A bill to amend the charter of the city of Paducah.

On motion of Mr. Alexander—

3. A bill for the benefit of John D. Secrest and his children, Sarah Jane and John Davis Secrest.

On motion of Mr. Cardwell—

4. A bill for the benefit of J. W. Linden, late sheriff of Breathitt county.

On motion of Mr. Spalding—

5. A bill for the benefit of Wm. Wilson, late sheriff of Union county.

On motion of same—

6. A bill for the benefit of Samuel A. Davis, late sheriff of Union county.

On motion of Mr. Martin—

7. A bill incorporating the Kentucky Central Insurance Company.

On motion of Mr. Garriott—

8. A bill authorizing the judge of the Trimble county court to appoint a treasurer for said county.

On motion of Mr. Cooke—

9. A bill to provide for calling a convention to revise the Constitution of the State.

On motion of same—

10. A bill to provide for the registration of births, marriages, and deaths.

On motion of Mr. Chandler—

11. A bill for the benefit of R. E. Puryear.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 7th, 9th, 10th, and 11th; the Committee on County Courts the 3d and 8th, and the Committee on Finance the 4th, 5th, and 6th.

The following petitions were presented, viz:

By Mr. Boyd—

1. The petition of sundry citizens of Barboursville, praying the passage of a law prohibiting the sale of ardent spirits within two miles of said town.

By same—

2. The petition of the ladies of Barboursville, praying the passage of a law prohibiting the vending of ardent spirits within the limits of said town.

By Mr. Holt—

3. The petition of lawyers of Eddyville, asking an amendment of the Civil Code of Practice.

Which petitions were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Propositions and Grievances, and the 3d to the Committee on the Judiciary.

And then the Senate adjourned

THURSDAY, JANUARY 28, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to change the time for returning tax-books.

That they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to further provide for the collection of the revenue tax.

That they had passed a bill, which originated in the Senate, entitled

An act to provide for the punishment of false swearing and subornation of perjury in certain cases.

That they had passed bills of the following titles, viz:

An act to amend section 3, article 9, of chapter 83, of the Revised Statutes.

An act conferring concurrent jurisdiction on the Fayette circuit court with that of the Lexington city court, in cases of misdemeanors.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Revised Statutes, and the 2d to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John S. Gallagher.

An act for the benefit of John T. Thompson.

An act to amend an act, entitled "An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes."

An act to incorporate Cloverport Cemetery Company.

An act to authorize the county court of Crittenden county to levy an additional tax.

An act authorizing the county court of Pendleton county to close certain alleys upon the public grounds.

An act authorizing the county court of Graves county to sell the poor-house and lands, and to invest the proceeds thereof.

An act to repeal an act, entitled "An act to change the time of holding justices of the peace courts in Washington county," approved 9th of March, 1868, and to fix the time of holding the same.

An act to incorporate the Rich Grove turnpike road company, in Christian county.

An act to incorporate the Paris and Ruddle's Mill turnpike road company, No. 2.

An act to incorporate Lebanon Female College.

An act to create a special road law for Pendleton county.

An act chartering the Cassady Creek turnpike road company, in Nicholas and Bath counties.

An act to incorporate the German Evangelical Lutheran St. Paul's Church of Paducah.

An act to amend article 5 of an act, entitled "An act to amend and reduce into one the several acts concerning the city of Henderson," approved February 11, 1867.

An act for the benefit of John L. Slavin, sheriff of Garrard county.

An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved February 28, 1862.

An act for changing the days of holding quarterly court in Webster county.

An act for the benefit of Henry Farmer, of Ballard county.

An act to repeal an act, entitled "An act to establish a ferry across the Cumberland river at Eddyville," approved March 9, 1868.

An act for the benefit of Elijah Litton, late sheriff of Whitley county.

An act for the benefit of E. C. Atherton and Thomas Landram, of McLean county.

An act to amend the penal and criminal laws of this State.

An act to authorize the trustees of the Baptist Church in Paris to sell and convey its lands, and to confirm a sale thereof made by them.

An act to re-enact an act to fix the fees of sheriffs, approved February 4, 1865.

An act to establish an additional district and election precinct in Simpson county.

An act to amend the charter of the Harmony and Fork turnpike road company.

An act for the benefit of W. W. Hancock, marshal of the town of Greenville.

The Senate took up for consideration a bill amending an act, entitled "An act to lease the Kentucky Penitentiary," approved 9th March, 1847.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Harry I. Todd was elected keeper of the Kentucky Penitentiary on the 9th day of February, 1866, and, on the 1st day of March, 1867, succeeding, did execute the bonds required by law, conditioned for the payment of rent for the Penitentiary at the rate of six thousand dollars for the first two years, per annum, and eight thousand for the next two years of his lease, which was in full compliance with the then existing law; and whereas, said Todd immediately thereby entered upon the discharge of his duties as keeper of the Penitentiary aforesaid, and afterwards, to-wit: on the 9th day of March, 1867, by an act of the General Assembly, approved on that day, the rent of the Penitentiary was raised to the sum of sixteen thousand dollars per annum; and the said Todd, on the 13th day of March, 1867, entered into new bonds for the payment of said increased rent, after being warned by the Governor of the Commonwealth that he could not be legally required to do so, stating at the time that the returning prosperity of the South would enable him to pay the said increased rent and leave him a fair profit for himself; and whereas, said reasonable anticipations of said Todd have been wholly disappointed by causes entirely beyond his control; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the third subdivision of the first section of an act to fix the rent of the Kentucky Penitentiary, approved March 9th, 1867, be so amended as to read: Harry I. Todd, the present keeper of the Penitentiary, shall be bound to pay to the Treasury, to the credit of the Sinking Fund, six thousand dollars per annum for the first two years of his lease, and eight thousand dollars per annum for the last two years of said lease, with interest on said sums from the time the same fell due up to their payment.

§ 2. This act to take effect from its passage.

Mr. Spalding then moved to reconsider the vote by which said bill had been ordered to be read a third time.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Allison, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	P. H. Leslie,	Oscar Turner,
A. K. Bradley,	W. Lindsay,	A. C. Vallandingham,
G. A. C. Holt,	Jno. W. F. Parker,	W. L. Vories,
O. P. Johnson,	I. A. Spalding,	I. C. Winfrey—12.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	I. T. Martin,
Jos. M. Alexander,	Lyttleton Cooke,	W. H. Payne,
R. T. Baker,	A. D. Cosby,	E. D. Standeford,
Robert Boyd,	Wm. A. Dudley,	Philip Swigert,
John B. Bruner,	A. H. Field,	Harrison Thompson,
Tho. P. Cardwell,	Joseph Gardner,	Ben. J. Webb,
Jno. G. Carlisle,	Evan M. Garriott,	W. J. Worthington—23.
Joseph H. Chandler,	Henry C. Lilly,	

Mr. Turner then moved to amend said bill as follows, by way of engrossed ryder, viz:

The intention of this act being simply to release the said Harry I. Todd from the payment of ten thousand dollars per annum for the first two years, and of eight thousand dollars per annum for the last two years of his lease, and not to alter the original obligations of said Todd: *Provided, however*, That this act shall not take effect unless the said Harry I. Todd and the sureties in his official bond shall, within sixty days after its passage, signify their acceptance of its provisions in writing, filed in the office of the Secretary of State.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. H. Payne,
Joseph M. Alexander,	Wm. A. Dudley,	I. A. Spalding,
R. T. Baker,	A. H. Field,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Philip Swigert,
John B. Bruner,	Evan M. Garriott,	Harrison Thompson,
Tho. P. Cardwell,	W. C. Halbert,	Oscar Turner,
John G. Carlisle,	Henry C. Lilly,	Ben. J. Webb,
Jos. H. Chandler,	W. Lindsay,	I. C. Winfrey,

John B. Clarke, I. T. Martin, W. J. Worthington—29.
Lyttleton Cooke, Jno. W. F. Parker,

Those who voted in the negative, were—

F. M. Allison, G. A. C. Holt, A. C. Vallandingham,
A. K. Bradley, O. P. Johnson, P. H. Leslie—6.

Resolved, That the title of said bill be amended to read,

An act amending an act, entitled "An act to fix the rent of the Kentucky Penitentiary," approved 9th of March, 1867.

On motion of Mr. Bradley, leave was given to bring in a bill to amend the charter of the Evansville, Henderson, and Nashville railroad company.

The following petitions were presented, viz:

By Mr. Spalding—

1. The petition of Julia Brame, in relation to her idiotic step-son.

By Mr. Garriott—

2. The petition of sundry citizens of the county of Carroll, in relation to the removal of the Seat of Government.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on Public Buildings.

Mr. Chandler read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate and three from the House of Representatives be appointed by the respective Speakers thereof, for the purpose of taking into consideration the present laws in relation to the inspection and sales of tobacco in the city of Louisville, and the revision of the same, and that said committee report as soon as practicable by bill or otherwise.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the German Building Association, No. 1, of Covington;

An act to incorporate Mozart Lodge, No. 149, Independent Order of Odd Fellows, at Louisville;

An act to amend the charter of the town of Bardstown;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Grace Church, Louisville;

An act to amend an act to establish the Mechanics' Institute in the city of Paducah;

An act to further provide for the collection of the revenue tax;

Resolutions in relation to the death of Gen. L. H. Rousseau;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Vories, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the Institution for the Education of Idiots and Feeble-minded Children,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of forty thousand dollars be, and are hereby, appropriated, out of the Treasury, for the benefit of the Institution for the Education of Idiots and Feeble-minded Children, to be devoted to the following purposes, to-wit:

To the building of corridors, beginning at the present building, running to a wing, and for the erection of a wing, twenty-eight thousand dollars.

To the necessary excavation under the present building, and the new building, so as to have basement room under the same, thirty-five hundred dollars.

To building a new furnace, to heat the rooms in said building, furnishing boiler, engine, washing machine, &c., five thousand dollars.

To furnish the building, erect a barn, &c., thirty-five hundred dollars.

§ 2. That the commissioners of said Institution shall employ an architect to furnish a suitable plan, upon which to make said improvements, and to superintend their erection; but before the plan shall be executed, it shall be laid before the Governor by the commissioners, and approved by him. The commissioners shall, before they let out said work, advertise the same for sealed proposals for thirty days, in the newspapers at Frankfort, Louisville, and Lexington, as well as the payments to be made therefor, and shall make the contract with the lowest and best bidder, who shall, before he begins said work, ex-

ecute a bond, with good security, in the penalty of fifty thousand dollars, to the Commonwealth of Kentucky, conditioned for the faithful performance of his contract. And six thousand dollars per annum are appropriated to pay officers, teachers, and attendants, instead of five thousand dollars, as now provided by law.

§ 3. This act shall take effect from and after its passage.

Mr. Bruner then moved to amend said bill as follows, viz:

Strike out the last sentence in second section of the bill, embracing the words, "and six thousand dollars per annum are appropriated to pay officers, teachers, and attendants, instead of five thousand dollars, as now provided by law."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Baker, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Tho. P. Cardwell,	P. H. Leslie,
R. T. Baker,	Jos. H. Chandler,	Henry C. Lilly,
Robert Boyd,	Evan M. Garriott,	Oscar Turner,
A. K. Bradley,	W. C. Halbert,	I. C. Winfrey—14.
John B. Bruner,	G. A. C. Holt,	

Those who voted in the negative, were—

Jos. M. Alexander,	W. Lindsay,	Philip Swigert,
John G. Carlisle,	I. T. Martin,	Harrison Thompson,
John B. Clarke,	John W. F. Parker,	A. C. Vallandingham,
Lyttleton Cooke,	W. H. Payne,	W. L. Vories,
Wm. A. Dudley,	I. A. Spalding,	Ben. J. Webb,
A. H. Field,	E. D. Standeford,	W. J. Worthington—19.
O. P. Johnson,		

Mr. Spalding then moved to amend the bill by adding to the second section the following proviso:

Provided, That the additional one thousand dollars hereby provided for shall be applied exclusively to procuring additional teachers and assistants.

Which amendment was adopted.

Mr. Standeford then moved to amend said bill as follows, viz:

To the first section of the bill add the following proviso:

Provided, That not exceeding one thousand dollars of said sum shall be applied to the erection of a barn.

Which amendment was adopted.

Mr. Turner then moved to amend said bill as follows:

Section one, line two, strike out the word "forty," before the word "thousand," and insert in lieu thereof the word "twenty."

Mr. Chandler moved to amend the amendment proposed by Mr. Turner, as follows:

Strike out the word "twenty," and insert the word "thirty."

Mr. Baker then moved a division of the question.

The question was first taken on striking out, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Turner, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	P. H. Leslie,	I. A. Spalding,
John B. Bruner,	Henry C. Lilly,	E. D. Standeford,
Joseph H. Chandler,	W. Lindsay,	Oscar Turner,
Evan M. Garriott,	John W. F. Parker,	I. C. Winfrey—13.
G. A. C. Holt,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	I. T. Martin,
Jos. M. Alexander,	A. D. Cosby,	W. H. Payne,
F. M. Allison,	Wm. A. Dudley,	Philip Swigert,
R. T. Baker,	A. H. Field,	H. Thompson,
Robert Boyd,	Joseph Gardner,	A. C. Vallandingham,
Tho. P. Cardwell,	W. C. Halbert,	W. L. Vories,
John G. Carlisle,	O. P. Johnson,	Ben. J. Webb—22.
John B. Clarke,		

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	J. W. F. Parker,
Jos. M. Alexander,	A. D. Cosby,	W. H. Payne,
F. M. Allison,	Wm. A. Dudley,	I. A. Spalding,
R. T. Baker,	A. H. Field,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Philip Swigert,
Tho. P. Cardwell,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	G. A. C. Holt,	A. C. Vallandingham,
Jos. H. Chandler,	O. P. Johnson,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb—27.

Those who voted in the negative, were—

A. K. Bradley,	P. H. Leslie,	Oscar Turner,
John B. Bruner,	Henry C. Lilly,	I. C. Winfrey—8.
Evan M. Garriott,	W. Lindsay,	

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill to amend the Civil Code of Practice, title "Injunctions," chapter 4, article 2.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article 2 of chapter 4 of the Civil Code of Practice be amended by adding thereto the following sections, to wit: The party enjoined, after filing in the clerk's office of the court in which the action is pending his answer, notice of which filing he shall give to the plaintiff, may thereafter give notice of a motion to be made to the judge of the court in vacation, in not less than thirty days thereafter, upon the whole case, to dissolve or modify the injunction; upon such motion each party may read depositions, and other competent evidence, in writing. The court shall not be bound to take the answer as true.

§ 2. The hearing of the motion may be postponed to a subsequent day for cause, as provided by section 322, Civil Code.

§ 3. After hearing the motion the judge shall overrule the same, or dissolve or modify the injunction, according to the rights of the case.

§ 4. The order of the judge overruling the motion, or dissolving or modifying the injunction, with the notice, shall be returned to the office of the clerk of the court; they shall be noted on the record, and the order obeyed, as if made by the court.

§ 5. This act shall take effect from and after its passage.

Mr. Carlisle then moved to amend said bill by adding to the first section the following:

Provided, No such motion shall be tried outside of the county in which the action is pending.

Mr. Turner then moved to amend the amendment proposed by Mr. Carlise by adding thereto the following words: "Or in some adjoining county."

Which amendment was adopted.

The question was then taken on the adoption of the amendment proposed by Mr. Carlisle as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Baker,	A. H. Field,	Oscar Turner,
John B. Bruner,	G. A. C. Holt,	W. L. Vories,
Jno. G. Carlisle,	W. H. Payne,	I. C. Winfrey—10.
Wm. A. Dudley,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. Lindsay,
Jos. M. Alexander,	Joseph Gardner,	Jno. W. F. Parker,
F. M. Allison,	W. C. Halbert,	I. A. Spalding,
Robert Boyd,	O. P. Johnson,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	Harrison Thompson,
Joseph H. Chandler,	Henry C. Lilly,	Ben. J. Webb—19.
Lyttleton Cooke,		

So said bill was rejected.

The orders of the day having been dispensed with,

Mr. Baker moved that the Committee on Public Buildings be allowed to make a report of a bill to them submitted from the House of Representatives, entitled

An act to provide for the erection of fire-proof offices at the Seat of Government.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	W. C. Halbert,	Philip Swigert,
R. T. Baker,	G. A. C. Holt,	Harrison Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb,
Joseph Gardner,	Jno. W. F. Parker,	W. J. Worthington—20.
Evan M. Garriott,	I. A. Spalding,	

Those who voted in the negative, were—

Joseph M. Alexander,	Jos. H. Chandler,	O. P. Johnson,
F. M. Allison,	Lyttleton Cooke,	P. H. Leslie,
Robert Boyd,	A. D. Cosby,	W. H. Payne,
A. K. Bradley,	Wm. A. Dudley,	E. D. Standeford,
John B. Bruner,	A. H. Field,	I. C. Winfrey—15.

Mr. Martin, from the Committee on Public Buildings, then reported the bill just above cited.

Mr. Chandler then moved an amendment to said bill.

Pending the consideration of which, Mr. Turner, at 1¼ o'clock, P. M., moved an adjournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. D. Cosby,	John W. F. Parker,
Robert Boyd,	Wm. A. Dudley,	W. H. Payne,
A. K. Bradley,	A. H. Field,	E. D. Standeford,
John B. Bruner,	Evan M. Garriott,	Oscar Turner,
Jos. H. Chandler,	O. P. Johnson,	Ben. J. Webb,
Lyttleton Cooke,	P. H. Leslie,	I. C. Winfrey—18.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	G. A. C. Holt,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay.	W. J. Worthington—17.
John B. Clarke,	I. T. Martin,	

And then the Senate adjourned

FRIDAY, JANUARY 29, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the benefit of James Bartley, late sheriff of Monroe county.

That they had also concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution in regard to the inspection and sales of tobacco in the city of Louisville.

That they had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the establishment of a pauper-house in Hancock county.

An act to legalize the proceedings of the Boone county court at its October term, 1868, and its January term, 1869.

An act to regulate the election of the sinking fund commissioners in Hart county.

An act to change the time of holding the civil terms of the police court of Elizabethtown.

An act for the benefit of the McCracken county court.

An act for the benefit of Boyd county.

An act to amend an act, entitled "An act fixing the time for holding the circuit, criminal, and equity courts of this Commonwealth."

An act for the benefit of the Crittenden county court.

An act for the benefit of the Shelby circuit clerk.

An act for the benefit of F. M. Allison, late clerk of the Butler county and circuit courts.

An act for the benefit of the clerk of the Nicholas circuit court.

An act for the benefit of the court of claims of Clinton county.

An act for the benefit of Wm. Lykins, late judge of the Morgan county and quarterly courts.

An act to amend an act, entitled "An act to authorize the county court of Scott county to increase the county levy," &c., approved February 27, 1867.

An act to change the time of holding the quarterly courts of Mason county.

An act to change the time of holding the Washington quarterly court.

An act to regulate the time of holding county and quarterly courts in Jackson county.

An act to change the time of holding the county and quarterly courts of Pike county.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to amend the charter of the Shelby railroad company, and to authorize certain counties to take stock in the same.

Said bill reads as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

Mr. Vories then moved to amend said bill as follows, viz:

To the third section add the following proviso:

Provided, That the bonds of Shelby county shall not be executed until Anderson county votes the stock to said company, and but one vote shall be taken in Shelby county.

Mr. Field moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Vories, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vories and Holt, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	P. H. Leslie,	Oscar Turner,
A. K. Bradley,	W. Lindsay,	A. C. Vallandingham,
Joseph Gardner,	W. H. Payne,	W. L. Vories—11.
G. A. C. Holt,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	John W. F. Parker,
Jos. M. Alexander,	Lyttleton Cooke,	E. D. Standeford,
R. T. Baker,	A. D. Cosby,	Philip Swigert,
Robert Boyd,	A. H. Field,	H. Thompson,
John B. Bruner,	Evan M. Garriott,	Ben. J. Webb,
Tho. P. Cardwell,	W. C. Halbert,	I. C. Winfrey,
John G. Carlisle,	O. P. Johnson,	C. T. Worthington—23.
Joseph H. Chandler,	Henry C. Lilly,	

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vories and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	John W. F. Parker,
Jos. M. Alexander,	A. D. Cosby,	W. H. Payne,
R. T. Baker,	A. H. Field,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	H. Thompson,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb,
John G. Carlisle,	Henry C. Lilly,	I. C. Winfrey,
Joseph H. Chandler,	I. T. Martin,	C. T. Worthington—25.
John B. Clarke,		

Those who voted in the negative, were—

F. M. Allison,	P. H. Leslie,	A. C. Vallandingham,
A. K. Bradley,	W. Lindsay,	W. L. Vories,
G. A. C. Holt,	Oscar Turner,	W. J. Worthington—9.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Carlisle, a message was sent to the House of Representatives, asking leave to withdraw the announcement of the

concurrence of the Senate to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Covington and Cincinnati Bridge Company.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Carlisle then moved to reconsider the vote by which the Senate had concurred in the amendment aforesaid, and it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on the Judiciary.

The following petitions were presented, viz:

By Mr. Bradley—

1. The petition of sundry citizens of Madisonville, asking the passage of an act authorizing the trustees of said town to sell a certain lot in said town.

By Mr. Cosby—

2. Petition from the county of Daviess to be exempt from the provisions of the law requiring fire-proof safes, &c.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Revised Statutes, and the 2d to the Committee on Finance.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act approved 9th March, 1868, entitled "An act to fix the time for holding the circuit, criminal, and equity courts in this Commonwealth;"

An act to incorporate the Mutual Aid Society of the Employees of the Louisville and Nashville railroad company, of Louisville;

An act to incorporate the St. Leopold's German Roman Catholic Benevolent Society, of Louisville;

An act to incorporate Pleasant Ridge Institute, in Boone county;

An act to incorporate the German Roman Catholic St. Aloysius Benevolent Society, of Covington;

An act to incorporate the General Building Association of Covington;

An act to amend the charter of the Foster turnpike road company;

An act to incorporate the Henry County Agricultural and Mechanical Association;

An act to incorporate the Stone-masons' Benevolent Society, of Covington;

And an enrolled bill, which originated in the Senate, entitled

An act to provide for the punishment of false swearing and subornation of perjury in certain cases;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Holt, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act authorizing the Lyon county court to order a railroad election,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 29, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

J. W. Batchelor, of Jefferson county.
J. R. Hisben, of Jefferson county.
Tho. J. Fuqua, of Christian county.
James L. Garvin, of Hart county.
J. W. Twyman, of Larue county.
D. H. Hughes, of Nelson county.
William Bowling, of Carter county.
Chas. F. Fletcher, of Kenton county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

22-s.

The Senate resumed the unfinished report from the Committee on Public Buildings, being a bill from the House of Representatives, entitled

An act to provide for the erection of fire-proof offices at the Seat of Government,

Together with the amendment proposed by Mr. Chandler.

Mr. Leslie then moved to amend the amendment proposed by Mr. Chandler.

Pending the consideration of which, the Senate adjourned.

SATURDAY, JANUARY 30, 1869.

The Senate took up for consideration a bill to provide a mechanics' lien law for the city of Louisville and county of Jefferson.

Ordered, That said bill be referred to the Committee on the Judiciary.

The Speaker laid before the Senate the following response of the Secretary of State to a resolution heretofore introduced by Mr. Lindsay, viz:

OFFICE OF SECRETARY OF STATE,
FRANKFORT, KY., January 29th, 1869.

Hon. Wm. Johnson, Speaker of the Senate:

I have received a resolution which passed the Senate in relation to the distribution of the public books for the year 1868.

In said resolution, the Secretary of State is requested to report to the Senate what steps have been taken in accordance with law to have said books distributed, and to report whether or not any further legislation is necessary to enable the State Department to have the public books distributed at the various counties within a reasonable time after they are ready for distribution.

I have the honor to state, that, in compliance with the law, after due publication, I awarded the contract for the delivery and distribution of said books to John D. Mannen, who was the lowest bidder for the same; but, at his request, he not wishing to undertake this business, the contract was given to Peter Jett, who had been the contractor for this same work for many previous years.

Mr. Jett has always been regarded as a most efficient and faithful agent, and, for the year 1868, has filed in my office receipts for the safe delivery of the books from all the clerks of the various counties, with the exception of some five or six. A delay occurred in the delivery of the books to some of the counties, from the fact that they were burnt whilst in transit to their points of destination.

In reply to one of the inquiries of the resolution, I will remark, that, in my opinion, no further legislation is required upon this subject.

Most respectfully, your obedient servant,

SAMUEL B. CHURCHILL,
Secretary of State.

On motion of Mr. Leslie, Mr. Halbert was added to the Committee on Finance.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Elizabethtown, Lexington, and Big Sandy railroad company.

An act to incorporate the German Building Association, No. 1, of Covington.

An act to incorporate Mozart Lodge, No. 149, Independent Order of Odd Fellows, at Louisville.

An act to amend the charter of the town of Bardstown.

An act to provide for the punishment of false swearing and subornation of perjury in certain cases.

On motion, leave of indefinite absence was granted to Mr. Baker.

The Senate resumed the consideration of the unfinished report from the Committee on Public Buildings, being a bill from the House of Representatives, entitled

An act to provide for the erection of fire-proof offices at the Seat of Government,

Together with the amendments heretofore proposed.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be paid in current funds, for the purpose of erecting a building or buildings to contain suitable apartments and fire-proof rooms for the principal public officers of the State, required by law to reside at the Seat of Government.

§ 2. That the Governor of this Commonwealth, *ex-officio*, G. W. Craddock, Hugh Rodman, S. I. M. Major, A. W. Dudley, John Mason

Brown, Philip Swigert, G. W. Anderson, Norvin Green, and I. T. Martin, are hereby appointed commissioners, whose duty it shall be to employ a competent architect, and first cause to be made a suitable plan and specification of the improvements herein contemplated; and when agreed upon by a majority of the said commissioners, it shall be their duty to advertise the fact in the newspapers printed in Frankfort, those printed in Lexington, three of those printed in Louisville, and one in Cincinnati, that sealed proposals will be received for the execution of said work.

§ 3. That the contract or contracts for the work shall be given to the lowest and best bidder or bidders, at the option of the commissioners, after being first advertised, as directed, for the space of one month. The said commissioners, in deciding thereon, shall have due regard to the ability and competency of the bidder to execute the same, and shall take bond of the said bidder, with good security, for the faithful performance of his contract.

§ 4. That said commissioners shall have the authority and are hereby directed to select a competent architect, whose duty it shall be to give strict and constant attention to the said improvements until complete, and who shall receive such compensation as said commissioners shall allow; and he shall be subject at any time to be removed and to have another employed in his stead.

§ 5. That said commissioners, before they enter upon the duties hereby imposed, shall severally take an oath, before some judge or justice of the peace, that they will faithfully discharge the duties hereby enjoined, and execute a joint bond, with security, payable to the Commonwealth, conditioned that they will faithfully appropriate and account for all money, from time to time, that may come to their hands for said purpose, which bond shall be taken and approved by the Governor, and filed in the office of the Secretary of State; but the provisions of this section shall not apply to the Governor as one of the commissioners, of whom no bond or oath shall be required.

§ 6. It shall be the duty of the Auditor of Public Accounts to draw his warrant upon the Treasurer for such sums of money as the said commissioners may, from time to time, order in the prosecution of said work, not exceeding in all the sum appropriated by this act.

§ 7. The said commissioners may appoint a clerk, whose duty it shall be to keep a correct record of the acts of said commissioners, and a correct account of the moneys expended by them in the prosecution of said work, and shall pay him a reasonable compensation for his services, out of the appropriation made in this act: *Provided*, That said commissioners shall receive no compensation for any services rendered under this act, except that those who reside elsewhere than at Frankfort shall be allowed the same mileage as members of the General Assembly for attendance upon the meetings of the board, to be paid out of the aforesaid appropriation.

§ 8. That should said commissioners, or either of them, refuse to act, or hereafter die or resign, it shall be the duty of the Governor to fill such vacancy.

§ 9. That said buildings shall be made of stone, and as near fireproof as may be.

§ 10. This act to take effect from its passage.

§ 11. The appropriation made in the first section of this act shall be held and intended to mean for the erection of a building or buildings to contain suitable apartments and fire-proof rooms for the offices of the State, required by law to be kept at the Seat of Government.

The amendment proposed by Mr. Chandler reads as follows, viz:

Add to the first section—

Provided, That said appropriation is made exclusively for the erection of suitable buildings for the public offices aforesaid, and that no part thereof shall be used in the improvement, alteration, or extension of the State House or Capitol building, and that the plans and specifications of said buildings shall look to no greater cost than the one hundred thousand dollars hereby appropriated, and in no event shall exceed in cost the said amount.

The amendment proposed by Mr. Leslie as a substitute for the original bill and proposed amendment reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That at the regular election in August, 1869, for Representatives to the next Legislature of Kentucky, there shall be a poll opened, by the officers conducting said election, at the several voting places in the State, and the vote of the people of the State taken upon the question of whether or not five hundred thousand dollars shall be appropriated for the enlarging and improving the present Capitol of the State, at Frankfort. At said election, every citizen entitled to vote for county Representative in the State Legislature shall be allowed to vote on said question; and it shall be the duty of all the judges and clerks and sheriffs conducting said elections to have propounded to each voter who shall vote the question, "Are you for the appropriation of five hundred thousand dollars to improve the Capitol at Frankfort, or against it?" It shall be the duty of said clerks, judges, and sheriffs to record each voter's name, and place his vote as he may answer, either for or against said appropriation, and certify the result on the poll-book, and return it as now required by law; and it shall be the duty of the sheriffs and other returning officers to certify the vote of their respective counties to the Governor of the State, and transmit the same to him on or before the first day of September, 1869; and, within ten days thereafter, it shall be the duty of the Governor and Secretary of State to carefully count the votes so certified as having been cast for the appropriation and those cast against it, and cause the same to be published to the people of the State by the Public Printer; and if a majority of said votes are found to have been cast for said appropriation, said Governor and Secretary shall so certify to said commissioners, who shall thereupon proceed to the discharge of the duties assigned them under the preceding sections of this act. But this act is not to take effect till after said election, nor until said Governor and Secretary of State shall certify that a majority of said votes have been given in favor of said appropriation.

The question was then taken on the adoption of the amendment proposed by Mr. Leslie, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. H. Field,	E. D. Standeford,
Robert Boyd,	O P. Johnson,	Oscar Turner,
A. K Bradley,	P. H. Leslie,	W. L. Vories,
John B. Bruner,	John W. F. Parker,	Ben. J. Webb,
Joseph H. Chandler,	W. H. Payne,	C. T. Worthington—16.
Lyttleton Cooke,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. T Martin,
Jos. M. Alexander,	Evan M. Garriott,	I. A. Spalding,
R. T. Baker,	W. C. Halbert,	Philip Swigert,
Tho. P. Cardwell,	G. A. C Holt,	H. Thompson,
John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
John B. Clarke,	W. Lindsay,	W. J. Worthington—19.
A. D. Cosby,		

The question was then taken on the adoption of the amendment proposed by Mr. Chandler, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. H. Field,	W. H. Payne,
Robert Boyd,	Evan M. Garriott,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	W. L. Vories,
John B. Bruner,	P. H. Leslie,	C. T. Worthington—13.
Joseph H. Chandler,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
Jos. M. Alexander,	W. C. Halbert,	E. D. Standeford,
R. T. Baker,	G. A. C Holt,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	H. Thompson,
John G. Carlisle,	W. Lindsay,	A. C. Vallandingham,
John B. Clarke,	I. T. Martin,	Ben. J. Webb,
Lyttleton Cooke,	John W. F. Parker,	W. J. Worthington—22.
A. D. Cosby,		

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	E. D. Standeford,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,

R. T. Baker,	G. A. C. Holt,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	Oscar Turner,
John G. Carlisle,	W. Lindsay,	A. C. Vallandingham,
John B. Clarke,	I. T. Martin,	W. L. Vories,
A. D. Cosby,	W. H. Payne,	Ben. J. Webb,
A. H. Field,	I. A. Spalding,	W. J. Worthington—25.
Joseph Gardner,		

Those who voted in the negative, were—

F. M. Allison,	John B. Bruner,	P. H. Leslie,
Robert Boyd,	Joseph H. Chandler,	John W. F. Parker,
A. K. Bradley,	O. P. Johnson,	C. T. Worthington—9.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
R. T. Baker,	W. C. Halbert,	H. Thompson,
Tho. P. Cardwell,	G. A. C. Holt,	A. C. Vallandingham,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
John B. Clarke,	W. Lindsay,	Ben. J. Webb,
Lyttleton Cooke,	I. T. Martin,	W. J. Worthington—23.
A. D. Cosby,	I. A. Spalding,	

Those who voted in the negative, were—

F. M. Allison,	Jos. H. Chandler,	J. W. F. Parker,
Robert Boyd,	A. H. Field,	W. H. Payne,
A. K. Bradley,	O. P. Johnson,	Oscar Turner,
John B. Bruner,	P. H. Leslie,	C. T. Worthington—12.

Resolved, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Vallandingham—

A bill to incorporate the Franklin Manufacturing Company.

On motion of Mr. Vories—

A bill for the benefit of M. Hampton, of Henry county.

Ordered, That the Committee on Agriculture and Manufactures prepare and bring in the 1st, and the Committee on Finance the 2d.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Uniontown;

An act for the benefit of Robert McAllister, late sheriff of Greenup county;

An act for the benefit of the sureties in the revenue bond of Tho. H. Estis, sheriff of Hancock county for the year 1867;

An act for the benefit of J. C. Calhoun, sheriff of McCracken county;

An act for the benefit of the sureties of James Bartley, late sheriff of Monroe county;

An act to improve the navigation of Licking river;

An act for the benefit of the Institution for the Education of Idiots and Feeble-minded Children;

An act to amend and reduce into one all the several acts in regard to the town of Foster, in Bracken county;

An act to incorporate the Ford's Mill and Kentucky River turnpike company;

An act to incorporate the Bracken and Pendleton turnpike road company;

An act to charter the St. Patrick's Benevolent Society of Newport;

An act to incorporate the Brick-layers' Union, No. 2, of Covington;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned

MONDAY, FEBRUARY 1, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill from the House of Representatives, entitled

An act for the benefit of the Institution for the Education of Idiots and Feeble-minded Children.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Wm. A. Nesbitt.

An act for the benefit of C. T. Cheek.

An act for the benefit of the estate of A. H. Buckner, deceased.

An act to adopt Michael Crosby, as son and heir of Peter and Ann Kelly.

With amendments to the last two named bills.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Lexington, Harrodsburg, and Perryville turnpike road company.

2. An act to amend an act, entitled "An act to amend an act to reduce into one the several acts concerning the town of Lagrange," approved 3d of March, 1868.

3. An act for the benefit of L. K. Irvine and J. D. Christian.

4. An act to amend an act authorizing and empowering county courts to create additional justices' districts, establish voting precincts in such districts, and fix the boundary lines and places of voting therein, approved March 7th, 1868.

5. An act for the benefit of school district No. 18, in Casey county.

6. An act to repeal so much of an act, entitled "An act to prevent the destruction of fish in Green river and other water-courses," approved February 26, 1868, as applies to the Kentucky river and its tributaries.

7. An act defining the county lines between Perry and Breathitt counties.

8. An act to amend an act, entitled "An act for the benefit of the towns of Marion and Birmingham."

9. An act to change the line dividing Logan and Butler counties.

10. An act for the benefit of John Nesbit, late sheriff of Webster county.

11. An act for the benefit of Allen Walker, a justice of the peace in Crittenden county.

12. An act making the amended road law, approved February 17th, 1866, apply to Breckinridge county.

13. An act to enlarge the voting precinct of Mt. Sterling.

14. An act to change the place of voting in district No. 5, in McCracken county.

15. An act for the benefit of R. M. Earnest, former sheriff of Simpson county.

16. An act for the benefit of James Gillem, of Carter county.

17. An act for the benefit of John H. Burdett, of Carter county.

18. An act for the benefit of Thomas R. Russell, jailer of Trigg county.

19. An act for the benefit of James N. Frazer, of Harrison county.

20. An act for the benefit of M. B. Goble, of Lawrence county.

21. An act for the benefit of John W. Harrell.

22. An act for the benefit of Mary E. Hutton.

23. An act for the benefit of Julia Owens, widow of Samuel W. Owens, former clerk of the Mason circuit court.

24. An act authorizing the county court of Fayette county to subscribe stock in turnpike roads.

25. An act to prevent prize-fighting and training for prize-fighting in this Commonwealth.

26. An act to repeal an act, entitled "An act to establish two additional justices' districts in Mason county," approved February 13th, 1868, and the act amendatory thereof, approved March 5th, 1868.

27. An act regulating proceedings against sheriffs, &c., in the Franklin circuit court.

28. An act for the benefit of the representatives and heirs of Wm. J. Fields, deceased, late sheriff of Carter county, and his securities.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Internal Improvement; the 2d, 8th, and 12th to the Committee on Revised Statutes; the 3d, 10th, 11th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, and 27th to the Committee on Finance; the 4th, 13th, 14th, 24th, and 26th to the Committee on County Courts; the 5th to

the Committee on Education; the 6th to the Committee on Agriculture and Manufactures; the 7th and 9th to the Committee on Propositions and Grievances, and the 25th and 28th to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Standeford—

1. A bill to incorporate the Louisville and Beargrass railway company.

On motion of same—

2. A bill to incorporate the United Circle Daughters of Rebecca, of Louisville.

On motion of Mr. Cosby—

3. A bill to amend the charter of the city of Owensboro.

On motion of Mr. Payne—

4. A bill for the benefit of Geo. R. Hines and Thos. D. Carson.

On motion of Mr. Webb—

5. A bill to require the chartered banking institutions of this Commonwealth to make semi-annual reports of their condition.

On motion of same—

6. A bill to protect the manufacturers of mineral water and other beverages in this Commonwealth.

On motion of Mr. Martin—

7. A bill chartering Warsaw Chapter.

On motion of Mr. Speaker (Johnson)—

8. A bill for the benefit of James Archie Davis, a pauper idiot.

On motion of Mr. W. J. Worthington—

9. A bill for the benefit of John Seaton, of Greenup county.

On motion of Mr. Thompson—

10. A bill to incorporate the Allensville turnpike road company.

On motion of same—

11. A bill to incorporate the Kentucky Cheese Company.

On motion of same—

12. A bill to incorporate the Winchester Fuel Company.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 10th, and 12th; the Committee on the Judiciary the 2d and 3d; the Committee on Finance the 4th and 9th; the Committee on Banks the 5th; the Committee on Revised Statutes the 6th; the Committee on Religion the 7th; the Committee on Circuit Courts the 8th, and the Committee on Agriculture and Manufactures the 11th.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to enable the Hart county court to pay indebtedness and current expenses of Hart county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to establish the Mechanics' Institute in the city of Paducah.

An act to incorporate Grace Church, Louisville.

An act to further provide for the collection of the revenue tax.

Resolutions in relation to the death of Gen. L. H. Rousseau.

That they had adopted a resolution in relation to the pay of the officers of the General Assembly.

Which was taken up, twice read, and concurred in.

Mr. Bruner presented the remonstrance of sundry citizens of Adair county, remonstrating against any change in the county lines of said county.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

The Speaker laid before the Senate a communication from the Governor.

Which was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., January 29, 1869.

Gentlemen of the Senate:

I nominate for your concurrence Stephen E. Trice as Manager of the Western Lunatic Asylum of Kentucky.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointment.

Leave of indefinite absence was granted to Messrs. Clarke, Winfrey, Baker, Boyd, Lilly, Garriott, Thompson, and C. T. Worthington.

The Senate took up for consideration the report of the Committee on the Judiciary, heretofore made, in relation to a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Western Insurance Company."

Which report was, that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Said bill was then read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, asked to be discharged from the further consideration of the petition of B. F. Delany, asking the privilege of establishing a coffee-house in Morganfield.

Which was granted.

Mr. Turner, from the same committee, reported a bill to amend the charter of the city of Paducah.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Holt, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to repeal the 6th section of an act approved 6th of February, 1854, entitled "An act to amend the charter of the Covington and Lexington railroad company, and to alter the rates of freight therein charged,"

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dudley and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. D. Cosby,	W. H. Payne,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	Evan M. Garriott,	Philip Swigert,
A. K. Bradley,	P. H. Leslie,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
Joseph H. Chandler,	I. T. Martin,	Ben. J. Webb—19.
Lyttleton Cooke,		

Those who voted in the negative, were—

John B. Bruner,	W. C. Halbert,	W. Lindsay,
Wm A. Dudley,	G. A. C. Holt,	I. A. Spalding—6.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to charter the Metropolis and Union City railroad company.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the formation of a company is hereby authorized for the purpose of establishing a communication, by railroad, between the city of Metropolis, Illinois, to Union City, Tennessee, through the States of Kentucky and Tennessee, the northern terminus to be on the southern bank of the Ohio river, at some point convenient to the city of Metropolis, until said company shall have power and authority to make immediate connection there by the erection of a bridge across said river, which company shall consist of the stockholders; and when formed, shall, and they are hereby, constituted a body-corporate, by the name and style of the "Metropolis and Union City railroad company;" and by such name shall have and enjoy, possess and exercise, all the rights, powers, privileges, and franchises, so far as the same are applicable, which the Henderson and Nashville railroad company have, by the terms of an act passed November 15th, 1849, entitled "An act to amend and re-enact an act, entitled 'An act to incorporate the Henderson and Nashville railroad company,'" passed by the Kentucky Legislature, and approved February 8th, 1837, and be subject to the same liabilities and restrictions therein imposed: *Provided*, That the lands and right of way for the construction of said road required by the company, shall not exceed fifty feet from the center of the road on each side: *And provided further*, That each share shall entitle the owner thereof to one vote.

§ 2. That the capital stock of said company shall be sixty thousand shares, of twenty-five dollars each; and books for subscription of

stock in said road shall be opened at such times and places, and kept open for such length of time, in the States of Illinois, Kentucky, and Tennessee, as may be designated by the following named commissioners, or a majority of them: G. S. Miles, G. H. Cary, F. M. English, Thomas H. Corbett, G. W. Ratcliffe, Ben. Davis, B. Barr, and Mason Johnson, who shall have power to appoint three or more persons, in any of the towns or neighborhoods within the said States of Tennessee, Kentucky, and Illinois, to open books and receive subscriptions.

§ 3. That any three of the above-named commissioners, or such persons as may be appointed by them for that purpose, shall, at each place named and designated, open books and receive subscriptions during the time the said books are directed to be kept open; and, on each share subscribed, shall demand and receive the sum of fifty cents, without which the subscription shall be void.

4. That said commissioners, or any three of them, appointed as above named, shall have power to secure the payment of each share by taking, as collateral security, a mortgage upon real estate, executed to them, or any three of them, as trustees, for the benefit of said railroad company, by each subscriber to the capital stock of said company.

§ 5. That G. S. Miles, G. H. Cary, F. M. English, Thos. H. Corbett, G. W. Ratcliffe, Ben. Davis, B. Barr, and Mason Johnson, or a majority of them, be, and they are hereby, constituted a board of commissioners to superintend and manage all the affairs of said company, until it shall be fully organized by the election of a board of directors, as prescribed by the charter of the Henderson and Nashville railroad company, so far as it may be applicable and not inconsistent with the provisions embraced in the several sections of this act.

§ 6. That so soon as the above-named commissioners, or a majority of them, shall ascertain that four thousand shares of the capital stock of said company have been subscribed, on each of which there shall have been paid the sum of fifty cents, the said commissioners shall advertise the facts in some newspaper in the towns of Metropolis, Union City, and Dyersburg, and shall call the subscribers together at such time and place as may be designated by said commissioners, or a majority of them, at which time and place the said subscribers shall organize the company by the election of a president and directors thereof, as provided in the charter of the Henderson and Nashville railroad company and the provisions of this act, and thenceforth the said subscribers of the stock shall form one body-politic and corporate, in deed and in law; and the Metropolis and Union City railroad company be fully organized in the States of Kentucky, Illinois, and Tennessee, for the purpose aforesaid.

§ 7. That this act, whereby all the rights, powers, privileges, and franchises which the Henderson and Nashville railroad company have by the terms of the act passed as aforesaid, and extended to the Metropolis and Union City railroad company, when it shall have been formed in accordance with the provisions above mentioned, shall become a law whenever the State of Tennessee may enact the same for the same purpose, with such modifications and amendments as

they may deem right, not inconsistent with the provisions hereof: *Provided, however*, If the said State of Tennessee should not enact or co-operate in this charter during the present year when the same shall be enacted, the time shall be allowed thereafter as is now allowed to do and perform certain things required by the provisions of this act.

Mr. Turner then moved to amend said bill as follows:

Amend section one by striking out all after the word "company," in the twelfth line, and before the word "provided," in the nineteenth line.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Joseph Gardner,	Oscar Turner,
A. K. Bradley,	G. A. C. Holt,	A. C. Vallandingham,
Lyttleton Cooke,	P. H. Leslie,	Ben. J. Webb—9.

Those who voted in the negative, were—

Mr. Speaker (Johnson),	A. H. Field,	John W. F. Parker,
Jos. M. Alexander,	Evan M. Garriott,	I. A. Spalding,
John B. Bruner,	W. C. Halbert,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	H. Thompson,
A. D. Cosby,	W. Lindsay,	W. J. Worthington—15.

Mr. Turner then moved to amend the bill as follows:

Amend the bill in the seventh section, beginning in first line, after the word "act," and striking out all of said section to the word "shall," in the fifth line.

And the question being taken thereon, it was decided in the negative.

Mr. Lindsay then moved to amend said bill by adding to the seventh section the following proviso:

Provided further, That the people of no county, part of county, city, or town, through which said proposed road may be built, shall have the right to vote upon themselves a tax for the purpose of subscribing stock to the capital stock of the company hereby created; nor shall the county court of any county, or the corporate authorities of any city or town, have the right to issue the bonds of such county, part of county, city, or town to assist in any manner in the construction of said road, upon the petition of any number of voters, however numerous.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Cooke then moved to amend said bill as follows, viz:

Provided further, That unless said company shall, within one year from the passage of this act, show to the Governor of this State that it is possessed of ample means to construct and equip said road, all powers conferred by this act shall cease, and the same shall be null and void.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill, as amended, be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Lilly, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	W. H. Payne,
Jos. M. Alexander,	W. C. Halbert,	I. A. Spalding,
A. K. Bradley,	G. A. C. Holt,	E. D. Standeford,
John B. Bruner,	P. H. Leslie,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	H. Thompson,
Joseph H. Chandler,	W. Lindsay,	Ben. J. Webb,
A. H. Field,	John W. F. Parker,	W. J. Worthington—22.
Joseph Gardner,		

Those who voted in the negative, were—

F. M. Allison,	A. D. Cosby,	Oscar Turner—5.
Lyttleton Cooke,	A. C. Vallandingham,	

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	John W. F. Parker,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	W. J. Worthington—17.
Jos. H. Chandler,	W. Lindsay.	

Those who voted in the negative, were—

F. M. Allison,	G. A. C. Holt,	A. C. Vallandingham,
Lyttleton Cooke,	P. H. Leslie,	Ben. J. Webb—8.
A. D. Cosby,	Oscar Turner,	

Resolved, That the title of said bill be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Shelby railroad company, and to authorize certain counties to take stock in the same;

An act to provide for the erection of fire-proof offices at the Seat of Government;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of R. W. Wilson, clerk of the Crittenden county court.

An act to amend the charter of the Foster turnpike road company.

An act to incorporate the General Building Association of Covington.

An act to incorporate the St. Leopold's German Roman Catholic Benevolent Society, of Louisville.

An act to incorporate Pleasant Ridge Institute, in Boone county.

An act to incorporate the Henry County Agricultural and Mechanical Association.

An act to amend an act approved 9th March, 1868, entitled "An act to fix the time for holding the circuit, criminal, and equity courts in this Commonwealth."

An act to incorporate the German Roman Catholic St. Aloysius Benevolent Society, of Covington.

An act to incorporate the Stone-masons' Benevolent Society, of Covington.

An act to incorporate the Mutual Aid Society of the Employees of the Louisville and Nashville railroad company, of Louisville.

And then the Senate adjourned

TUESDAY, FEBRUARY 2, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of James Bartley, sheriff of Monroe county.

An act for the benefit of Rudolph De Roode.

That they had disagreed to the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the protection of game in certain counties of the State.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Hon. W. H. Randall, judge of the 15th judicial district.

An act for the benefit of J. P. Nuckols, clerk of the Barren county court.

An act for the benefit of George E. Stone and James F. Montgomery.

An act making the Harrison Democrat a legally authorized newspaper.

An act for the benefit of Harriet N. Robinson, of Taylor county.

With an amendment to the last named bill.

That they had concurred in the amendment proposed by the Senate to bills from the House of Representatives, of the following titles, viz:

An act declaring Little Sandy river a navigable stream.

An act to amend the charter of the town of Bardstown.

An act to amend article 2, chapter 84, of the Revised Statutes, title "Roads and Passways."

An act for the benefit of Franklin Lodge, No. 7, Independent Order of Odd Fellows, &c.

That they had passed bills of the following titles, viz:

1. An act to amend still further an act, entitled "An act to incorporate the Polish House of Israel."

2. An act to amend an act, entitled "An act to protect graves and graveyards," approved March 9, 1854.

3. An act to incorporate the St. Louis Mutual Insurance Association, of Louisville.

4. An act to amend an act, entitled "An act authorizing judgments by default to be recorded in a separate book."

5. An act for the benefit of David W. Hogan.

6. An act for the benefit of Montgomery Howard, jr.

7. An act to establish a chancery term of the Washington circuit court, and for the trial of motions not requiring a jury.

8. An act to change the time of holding the Mercer quarterly court.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 4th to the Committee on the Judiciary; the 2d and 6th to the Committee on Revised Statutes; the 3d to the select Committee on Insurance Companies; the 5th to the Committee on Finance; the 7th to the Committee on Circuit Courts, and the 8th to the Committee on County Courts.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to amend the charter of the Bank Lick turnpike road company.

With an amendment.

Which amendment was taken up, twice read, and concurred in, with an amendment.

Mr. Field read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five upon the part of the Senate, and eight on the part of the House of Representatives, be appointed by the respective Speakers, to meet the several committees in charge of the remains of General Henry Crist, at the depot in Frankfort, on the 3d day of February, and accompany his remains to the State cemetery, their place of interment.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Bradley, from the Committee on Revised Statutes—

An act to incorporate the Bourbon Library Association.

By same—

An act to incorporate Horton Division, No. 8, Sons of Temperance.

By same—

An act to amend the charter of the town of Elkton.

By same—

An act to repeal an act, entitled "An act to incorporate the Stony Point Academy Boarding House," approved February 5, 1866.

By same—

An act to incorporate the Richmond Printing Company.

By same—

An act declaring the Woodford Weekly, a paper published at Versailles, Kentucky, an authorized newspaper in this Commonwealth.

By same—

An act to amend the several acts in regard to the town of Benton.

By Mr. Payne, from the same committee—

An act to incorporate the town of Lusby, in Owen county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution from the Senate, entitled

Resolution in relation to the remains of General Crist.

Whereupon, Messrs. Field, Standeford, Holt, Payne, and Spalding were appointed a committee on the part of the Senate to carry into effect the purposes of said resolution.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to incorporate the Working Men's Mutual Relief Association of Kentucky;

An act to amend the charter of Clayvillage;

Reported the same without amendment.

Ordered, That the 1st be referred to the Company on Insurance Companies, and the 2d be made the special order of the day for the 6th inst.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to amend article 4 of chapter 28 of the Revised Statutes, title "Crimes and Punishments;"

An act to amend section 1, article 3, of chapter 78, Revised Statutes;

Reported the same, with the expression of opinion that said bills ought not to pass.

Ordered, That the 1st be referred to the Committee on the Judiciary.

The question was then taken on ordering the 2d to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Martin, from the Committee on the Penitentiary—

1. A bill providing for the rebuilding of the offices of the Penitentiary.

By Mr. Holt, from the Committee on Propositions and Grievances—

2. A bill to amend an act approved February 16, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg, and also of the several acts amendatory thereof."

By Mr. Martin, from the Committee on Religion—

3. A bill to incorporate Warsaw Royal Arch Chapter, No. 97.

By Mr. Bradley, from the Committee on Revised Statutes—

4. A bill to repeal all laws imposing a tax on dogs.

By same—

5. A bill authorizing the trustees of the town of Madisonville to sell certain burying-grounds in said town.

By Mr. Bruner, from the same committee—

6. A bill for the benefit of Samuel Haycraft, late clerk of the Hardin circuit court.

By Mr. Payne, from the same committee—

7. A bill to repeal an act, entitled "An act transferring that portion of the Louisville and Nashville turnpike road lying within the limits of Simpson county to the county court thereof."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed, and made the special order of the day for the 10th day of February, inst.; the 4th was made the special order of the day for Tuesday, the 9th inst.; the

7th was rejected, and the 2d, 3d, 5th, and 6th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill to provide for the revision of the revenue laws.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, three competent persons, residing in different sections of the State, at least one of whom shall be a person learned in the law, as commissioners to revise the general revenue laws of this Commonwealth. The Governor may fill any vacancy in said commission occurring during the recess of the General Assembly.

§ 2. It shall be the duty of said commissioners to prepare and report to the next General Assembly, on the first day of the session, a thorough revision of the general revenue laws, with such changes and amendments therein as they may think proper to be made; and shall also report to the General Assembly the principles by which they have been guided in their revision.

§ 3. Each of said commissioners shall receive for his services ten dollars per day, during the time actually occupied in the labor of his office, and, in addition, his necessary traveling expenses, to be paid as are other claims on the Treasury.

§ 4. This act shall take effect from its passage.

Mr. Turner then moved to amend said bill as follows, viz:

Add to third section of the bill the following proviso:

Provided, That in no event shall the whole expenses incurred exceed the sum of two thousand dollars.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Wm. A. Dudley,	John W. F. Parker,
Jos. M. Alexander,	A. H. Field,	I. A. Spalding,
A. K. Bradley,	Joseph Gardner,	E. D. Standeford,
John B. Bruner,	W. C. Halbert,	Philip Swigert,
Tho. P. Cardwell,	G. A. C. Holt,	Harrison Thompson,
John G. Carlisle,	O. P. Johnson,	Oscar Turner,
Jos. H. Chandler,	P. H. Leslie,	W. L. Vories,
Lyttleton Cooke,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration bills of the following titles, viz:

1. A bill to regulate the collection of the public revenue.

2. A bill to change the time of payment of State revenue into the Treasury, and to amend the revenue laws.

3. A bill to amend section 636 of the Civil Code of Practice.

4. A bill in relation to contracts for the payment of currency or coin.

5. A bill to provide for the employment of certain convict labor in the several counties.

6. A bill to amend the criminal laws.

7. A bill to confer criminal jurisdiction in certain cases upon county courts.

Ordered, That the 1st and 2d be referred to Messrs. Leslie, Turner, and Halbert, and that the 3d, 4th, 5th, 6th, and 7th be referred to the Committee on the Judiciary.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

An act to amend and reduce into one all acts in regard to the town of Concord, in Lewis county.

An act to adopt Michael Crosby as son and heir of Peter and Ann Kelly.

An act for the benefit of the estate of A. H. Buckner, deceased.

Which were twice read and concurred in.

Mr. Chandler moved to reconsider the vote by which the Senate on yesterday passed a bill from the House of Representatives, entitled

An act to charter the Metropolis and Union City railroad company.

And the question being taken thereon, it was decided in the affirmative.

The votes dispensing with the third reading, and also of ordering the bill to be read a third time, were reconsidered.

Mr. Turner then moved to amend said bill further by adding thereto the following additional proviso:

Provided further, That this act shall not take effect until a charter is granted to the Paducah company to construct and run a railroad from Vincennes to Paducah, with powers, rights, and privileges as liberal as are the powers granted by the Legislature of Kentucky in this charter.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Joseph M. Alexander,	Joseph Gardner,	E. D. Standeford,
A. K. Bradley,	W. C. Halbert,	Philip Swigert,
John B. Bruner,	G. A. C. Holt,	Harrison Thompson,
Tho. P. Cardwell,	O. P. Johnson,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay,	W. L. Vories,
Lyttleton Cooke,	Jno. W. F. Parker,	Ben. J. Webb,
Wm. A. Dudley,	W. H. Payne,	W. J. Worthington—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the disagreement of the House of Representatives to an amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Southern Mutual Life Insurance Company of Kentucky."

Resolved, That the Senate adhere to their proposed amendment.

On motion of Mr. Carlise,

Ordered, That a message be sent to the House of Representatives, requesting that a committee of conference be appointed on their part, to act in conjunction with a similar committee to be appointed on the part of the Senate, to take into consideration the disagreement between

the two Houses in relation to an amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Southern Mutual Life Insurance Company of Kentucky."

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Thomas G. Slater.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Fidelity Insurance Company of Eminence, in Henry county.

Ordered, That said bill be made the special order of the day for Thursday, February 4th.

The Senate also took up for consideration a resolution from the House of Representatives, entitled

Resolution in regard to printing report of the Trustees of the Institution for the Education of the Blind.

Which was twice read and concurred in.

The Senate took up for consideration a bill concerning moneys subject to the orders of the courts of this Commonwealth.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a resolution heretofore introduced by Mr. Chandler, entitled

Resolution in relation to the final adjournment of the General Assembly.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present General Assembly adjourn *sine die* on the 16th day of February, 1869, at 1 o'clock, P. M.

Mr. Carlisle moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chandler and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
Jos. M. Alexander,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	I. T. Martin,	A. C. Vallandingham,
Lyttleton Cooke,	John W. F. Parker,	W. L. Vories,
A. D. Cosby,	I. A. Spalding,	Ben. J. Webb—15.

Those who voted in the negative, were—

A. K. Bradley,	Joseph Gardner,	W. Lindsay,
John B. Bruner,	G. A. C. Holt,	E. D. Standeford,
Tho. P. Cardwell,	O. P. Johnson,	Oscar Turner,
Joseph H. Chandler,	P. H. Leslie,	W. J. Worthington—13.
Wm. A. Dudley,		

Leave was given to bring in the following bills, viz:

On motion of Mr. W. J. Worthington—

1. A bill to incorporate the Greenupsburg Building Association.

On motion of Mr. O. P. Johnson—

2. A bill to authorize the county court of Butler county to issue bonds for the purpose of building a jail and repairing the court-house.

On motion of Mr. Cosby—

3. A bill for the benefit of Adam C. Fox.

Ordered, That the Committee on the Revised Statutes prepare and bring in the 1st; the Committee on County Courts the 2d, and the Committee on Finance the 3d.

Mr. Alexander presented the petition of A. E. Cole, on behalf of magistrates of Fleming county, asking the passage of an act authorizing the levy of additional taxes in said county.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of Wm. A. Nesbitt;

An act for the benefit of C. T. Cheek;

Resolution in relation to the remains of General Crist;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act declaring Little Sandy river a navigable stream;

An act for the benefit of Franklin Lodge, No. 7, Independent Order of Odd Fellows;

An act to amend an act, entitled "An act to incorporate the Versailles and McCracken's Mill turnpike road company;"

An act to charter the Building or Accumulating Fund Association of Newport;

Resolution to pay officers of the General Assembly their daily wages;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 3, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the benefit of Joshua B. Fitch, late sheriff of Lewis county.

An act for the benefit of the town of Mt. Carmel, in Fleming county.

With an amendment to the last named bill.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act to amend the charter of the Owensboro and Russellville railroad.

2. An act for the benefit of the Ryder Cemetery Company.

3. An act for the benefit of the trustees of the Class of the Methodist Church, South, in Springfield.

4. An act to amend an act, entitled "An act in relation to conveyances by commissioners," approved 31st of May, 1865.

5. An act to incorporate the Hartford Railroad and Mining Company.

6. An act to amend the charter of the town of Lebanon, in Marion county.

7. An act to amend chapter 28, article 25, of Revised Statutes, title "Crimes and Punishments."

8. An act to amend an act to increase the jurisdiction of quarterly courts and courts of justices of the peace in Whitley county," approved February 15, 1864.

9. An act for the benefit of Edwin Thomas, late clerk of the Grayson county and circuit courts.

10. An act to repeal an act for the benefit of E. J. Shipman.

Resolution in relation to final adjournment.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 5th to the Committee on Internal Improvement; the 2d and 7th to the Committee on Revised Statutes; the 3d to the Committee on Religion; the 4th, 6th, and 10th to the Committee on the Judiciary; the 8th to the Committee on County Courts, and the 9th to the Committee on Circuit Courts.

Mr. Field read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Senate and House of Representatives will adjourn to-day at 12 o'clock, M., for the purpose of accompanying the remains of Gen. Henry Crist to the grave.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Leslie, from the Committee on Finance—

1. A bill to change and fix the times of holding the circuit courts in the 6th judicial district.

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

2. A bill to regulate the sale of tobacco in Louisville.

By same—

3. A bill to amend chapter 53, Revised Statutes, title "Interest and Usury."

By same—

4. A bill to fix the tolls on the Green and Taylor turnpike road.

By same—

5. A bill to incorporate the Kentucky Cheese Company.

By Mr. W. J. Worthington, from the same committee—

6. A bill to incorporate the Winchester Fuel Company.

By same—

7. A bill incorporating the Franklin Manufacturing Company.

By Mr. Field, from the Committee on Circuit Courts—

8. A bill to perfect the record of the Bullitt county court.

By same—

9. A bill for the benefit of James Archie Davis, a pauper idiot.

By Mr. Spalding, from the Committee on Codes of Practice—

10. A bill to amend article 4 of chapter 3, Civil Code of Practice.

By same—

11. A bill to amend title 5, Civil Code of Practice.

By same—

12. A bill for the benefit of Mrs. Pamelia M. Waggoner.

By Mr. Lindsay, from the Committee on County Courts—

13. A bill to amend the charter of the city of Columbus.

By same—

14. A bill to enlarge the powers of the Metcalfe county court.

By same—

15. A bill to repeal an act to define the line between the counties of Lewis and Carter.

By same—

16. A bill in relation to the public square of Greenup county.

By same—

17. A bill to amend the road laws for the counties of Hickman, Fulton, and Ballard.

By same—

18. A bill to amend the town charter of the town of Morganfield.

By same—

19. A bill for the benefit of John D. Secrest, of Fleming county.

By Mr. Webb, from the Committee on Education—

20. A bill to amend an act, entitled "An act to incorporate the Ursuline Society and Academy of Education," approved June 8, 1864.

By Mr. Leslie, from the Committee on Finance—

21. A bill to amend title 2, section 10, subdivision 5, of Criminal Code of Practice.

By same—

22. A bill to amend the revenue laws.

By same—

23. A bill to change the law in relation to the payment of officers and guards in certain cases.

By same—

24. A bill concerning payment of claims for conveyance of felons to the penitentiary.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was ordered to be printed, and made the special order of the day for the 11th inst.; the 3d, 10th, and 11th were ordered to be printed, and made the special order of the day for the 10th inst.; the 21st was ordered to be printed, and made the special order of the day for the 12th inst.; the 22d and 23d were ordered to be printed, and made the special order of the day for the 11th inst., and the 1st, 4th, 5th, 6th, 7th, 8th, 9th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, and 24th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of Adam C. Fox.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, On the — day of ———, 1868, Adam C. Fox paid a judgment into the Treasury of the State—a judgment against him in favor of the Commonwealth of Kentucky—for a fine of $104 for peddling without license; and whereas, said fine was remitted by Gov. Thomas E. Bramlette, as appears by the Executive Journal of date July 27, 1867; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby directed to draw his warrant on the Treasurer for $104, less cost and attorney's fee, in behalf of said A. C. Fox.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	W. H. Payne,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
Robert Boyd,	W. C. Halbert,	E. D. Standeford,
A. K. Bradley,	G. A. C. Holt,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—21.

In the negative—Lyttleton Cooke.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of Greenup county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant upon the Treasurer in favor of the county of Greenup for the sum of three hundred and one dollars and sixty cents, for keeping and providing for a pauper lunatic, said money to be subject to the order of the sheriff of said county.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	I. T. Martin,
Jos. M. Alexander,	Joseph Gardner,	W. H. Payne,
A. K. Bradley,	W. C. Halbert,	I. A. Spalding,
John B. Bruner,	G. A. C. Holt,	E. D. Standeford,

Tho. P. Cardwell, O. P. Johnson, W. L. Vories,
Jos. H. Chandler, P. H. Leslie, Ben. J. Webb,
Lyttleton Cooke, W. Lindsay. W. J. Worthington—22.
A. D. Cosby,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in a resolution from the Senate, entitled

Resolution to adjourn in honor of General Crist.

Leave of indefinite absence was granted to Messrs. Allison, Vallandingham, Lindsay, and Holt.

Mr. Martin read and laid on the table a joint resolution.

The Speaker laid before the Senate the following communication from the Secretary of State, transmitting report of Commissioners of the Sinking Fund, viz:

OFFICE OF THE SECRETARY OF STATE,
FRANKFORT, February 3d, 1869.

Hon. WILLIAM JOHNSON, *Speaker of the Senate:*

By an act passed at the last session, the Commissioners of the Sinking Fund were directed to investigate, audit, and settle the accounts of N. Craig, late Keeper of the Penitentiary, and to report to the adjourned session of the General Assembly the result of their examinations. In compliance with this law, the Commissioners have given much time and consideration to this subject, and beg leave, through you, to present to the Legislature the accompanying report as the result of their researches and consultations.

The report is signed by all the Commissioners with the exception of his Excellency the Governor, who, on account of the pressure of official business, has not been able for some weeks to attend the meetings of the Board of Commissioners.

Most respectfully,
Your obedient servant,
SAM'L B. CHURCHILL,
Chairman pro. tem.

REPORT.

To the General Assembly of the Commonwealth of Kentucky:

By an act of the Legislature, approved March the 7th, 1868, the Commissioners of the Sinking Fund were authorized and directed to investigate and audit and settle the accounts of N. Craig, late Keeper of the Penitentiary, and to report the result of such investigation to the adjourned session of the General Assembly.

In compliance with the provisions of this act, the Commissioners herewith respectfully submit the following report:

Newton Craig was elected Keeper of the Penitentiary in February, 1843, and entered upon the discharge of his duties in March, 1844. By an act of the Legislature, approved March 8th, 1843, it will be seen, by reference to sections eight, eleven, and twelve, that the Keeper or Keepers were to receive one third of the net profits, after defraying all the expenses of the Institution; that the State was guaranteed that her share of the profits should not be less than five thousand dollars per annum, and that the Governor was authorized, by and with the advice and consent of the Senate, to appoint a clerk, whose duty it was to keep a true and faithful account of all transactions pertaining to the Penitentiary.

Craig and the State thus became partners—the State entitled to two thirds and Craig one third of the profits; and although Craig covenanted that the profits of the State should not be less than five thousand dollars per annum, still we think it nothing but common justice that, in case of accident by fire or otherwise, the State should sustain two thirds of the loss, as she was to receive two thirds of the profits.

This would be the law between individuals and merchants, and why not between the State and her own citizens?

By the act of the 8th of March, 1843, above quoted, it will be seen that the State appointed her own clerk; and it will be seen, by reference to the account furnished the Governor by him (Reports Session 1844–45, page 344), that the total loss in raw materials, manufactured articles, &c., &c., furnished by Craig and destroyed by the burning of the Penitentiary on the 30th of August, 1844, amounted to the sum of six thousand three hundred and ninety-four dollars and twenty-two cents.

This was partnership property, and the State should bear two thirds of this loss, which amounts to four thousand two hundred and sixty-two dollars and eighty-one cents. Indeed, by reference to section seven of an act approved February 10th, 1845, it will be seen that Craig was released from all liability to the State on account of the loss sustained by the burning of the Penitentiary, except in so much as he was legally bound as partner to bear one third of said loss. It would appear from this that the State expressly recognized the fact that she ought to sustain two thirds of the loss or damages by fire. The books do not show that Craig has ever been paid this sum, or any part of it; and, in our opinion, he is justly entitled to it.

The Commissioners would here remark that Craig, in the first place, was a partner with W. Henry, who died in 1847, and the Legislature in February, 1847, passed an act declaring that the contract with Craig & Henry should be continued with Craig, requiring him to give a new bond, which was complied with.

The second claim presented by Craig is for the building of a wall around a lot of ground purchased of A. P. Cox, by the Commissioners of the Sinking Fund, for the purpose of enlarging the area of the Penitentiary. This wall was built under an act of the Legislature, approved the 23d of February, 1846, at an estimated cost of four thousand seven hundred and thirty-one dollars; but, upon actual measurement of said wall by A. P. Cox, one of the Commissioners

appointed to audit the accounts of N. Craig, in order to make a settlement with said Craig, it was found that this wall contained three thousand three hundred and twenty-one perch of solid masonry, commencing five feet below the surface of the ground, rising to the height of thirty feet, being six feet thick at the bottom and three at the top. At three dollars per perch this would amount to the sum of nine thousand nine hundred and sixty-three dollars. In addition to this, there was one hundred and fifty perch of loose stone on top of said wall, which, at one dollar per perch, amounts to one hundred and fifty dollars, and seven hundred yards of excavation, which, at twenty-five cents per yard, amounts to one hundred and seventy-five dollars, making the total cost of the whole wall ten thousand two hundred and eighty-eight dollars. Of this amount Craig received a credit on the books of the Penitentiary for the sum of four thousand seven hundred and thirty-one dollars, leaving him to pay the balance, which is five thousand five hundred and fifty-seven dollars.

We do not think that three dollars a perch for this work is too high. Messrs. Cox and Page, in their report to the Commissioners of the Sinking Fund, say that many of the stones used in the construction of this wall weighed more than a ton each, and that it was necessary that they should be large in order to secure the safe-keeping of the prisoners. They say in their report that this wall could not then have been built for less than four dollars per perch; but that, in 1846, when living was much cheaper than at the time of their report, it could have been built for three dollars per perch. In fixing a price upon this work we have been governed by their estimates.

It will be seen, by reference to the sworn statements of Governor James F. Robinson, hereto annexed, that he and M. C. Johnson met Governor Morehead and Judge Mason Brown, to whom was referred the matter in controversy between Captain Craig and the State, as arbitrators, and, after a full and long discussion, a basis of settlement was agreed upon, and Austin P. Cox and Thomas B. Page were selected as accountants, to take all the books and papers and make a full and complete settlement.

The settlement was made by Cox and Page, showing a large balance in favor of Craig against the State; which, says Governor Robinson, to his surprise, was set aside by the Commissioners of the Sinking Fund.

It has been many years since the transactions herein described have taken place; but, with all the lights before us, we have come to the conclusion that Newton Craig was entitled to receive from the State four thousand two hundred and sixty-two dollars and eighty-one cents on account of the loss by fire, and the sum of five thousand five hundred and fifty-seven dollars for the wall, which two sums amount to nine thousand eight hundred and nineteen dollars and eighty-one cents.

It remains for the Legislature to say whether or not interest should be added. If six per cent. interest should be allowed, the whole would amount to the sum of twenty-three thousand three hundred and forty-one dollars and seventy one cents.

The facts herein stated are taken from the records of the Commissioners of the Sinking Fund, which are in the custody of the Auditor, and from the evidence of the Hon. James F. Robinson, General William Johnson, and George W. Craddock, which is hereunto appended; all of which is most respectfully submitted by the Commissioners of the Sinking Fund to the General Assembly of the Commonwealth of Kentucky.

SAMUEL B. CHURCHILL,
Chairman pro tem.,
JOHN RODMAN,
D. HOWARD SMITH,
JAMES W. TATE.

Evidence of General William Johnson, Governor James F. Robinson, and Hon. George W. Craddock.

At a meeting of the Board of the Commissioners of the Sinking Fund, at the office of the Secretary of State, December 8, 1868—present: Samuel B. Churchill, Chairman *pro tem.*, John Rodman, James W. Tate, D. Howard Smith, Secretary—General Johnson was sworn, and introduced as a witness for Craig. He states: "I was one of the four Commissioners appointed under an act of the Legislature of 1861-2, I think, and Messrs. Hord, Jos. Belt, and Geo. W. Craddock were the others. The award rendered by said Commissioners was afterwards the judgment of the court, which is on file in the Franklin circuit court.

"I recollect distinctly that the claims of Craig for mistake in the measurement of the wall around the prison, and loss by fire in the prison during his term as keeper, were not allowed by the Commissioners. Witness cannot distinctly recollect what items were allowed, nor all of those rejected by the Commissioners.

"I recollect that the claims of Craig were twice as large as what were allowed him by the Commissioners, leaving out the claim for wall and by burning. In the settlement made by the Commissioners, the wall and burning claims were rejected. This I distinctly recollect."

Ex-Gov. James F. Robinson was sworn, and testified as follows: "M. C. Johnson, Esq., and myself met Gov. Morehead and Judge Mason Brown (to whom was referred the matter in controversy between Capt. Craig and the State as arbitrators) at the Capital Hotel, in Frankfort, on the —— day of ————; and, after a full and long discussion as to the principle upon which said settlement was to be made, finally agreed upon a basis of settlement; and, under this agreement, Austin P. Cox and Thomas B. Page were selected as accountants, to take all the books and papers and make a full and complete settlement on the basis and agreement agreed upon. That settlement was made by Cox and Page, showing a large balance in favor of Craig against the State, which was, greatly to my surprise, rejected by the Commissioners of the Sinking Fund. I thought and understood that the action of the arbitrators was to be final and conclusive in the case, both against the State and Craig. This was in writing. When the action of the arbitrators was laid before the

Commissioners of the Sinking Fund, they took the liberty of striking out whatever they pleased, and thus, I thought, greatly outraged and wronged Craig.

"But after all this, as the friend of Captain Craig, I advised him, as he had 'his head and hand in the lion's mouth,' as he was perfectly in the power of the Commissioners of the Sinking Fund, to take whatever he could get, and look to the Legislature for the balance he was entitled to. He acted on my advice, and the settlement was entered up.

"I am perfectly satisfied that the matter of mistake in building of wall and burning of Penitentiary was not settled. They were thrown out—never settled.

"The books of the Kentucky Penitentiary, under Craig's administration, were miserably kept. They showed against Craig a balance which I am satisfied was incorrect, and which the report of Cox and Page showed was incorrect.

"There is no question of the fact that Craig never received the compensation he claimed he was entitled to, for building an extension of the wall around the Penitentiary, in the settlement made with the Commissioners of the Sinking Fund, nor what he claimed was due him in consequence of the fire which occurred in the Penitentiary. My decided opinion is, that he was entitled to the amounts he claimed.

"When the settlement made by Cox and Page was rejected by the Commissioners of the Sinking Fund, it was stated by Governor Morehead and the Commissioners that Craig was to go to the Legislature for the relief he asked for what were stricken out of the report; that they had no power to allow them. The mistake in regard to the wall was discovered after the act of the Legislature for the benefit of Craig was passed. Craig pressed it on the Commissioners, but they refused to allow it, and said he must look to the Legislature for relief."

George W. Craddock was sworn, and testified as follows:

"The suit was in the name of the State, against Craig, for a balance of two or three thousand dollars. This suit was referred to Gen. W. Johnson, L. Hord, Jos. Belt, and myself, as arbitrators. Captain Craig set up divers claims as set-offs. The arbitrators could not agree, and Col. A. W. Dudley was selected as umpire. Finally, we agreed that each party should pay their own costs, and the suit be dismissed. To this agreement Craig objected to as unjust to him, as the State was indebted to him.

"The matter of the loss by the fire in the Penitentiary—I never knew much or anything about it. In regard to the building of the stone wall, it was not embraced in the settlement. Recently, I had occasion to examine the papers in the suit brought by the State. They do not show much about what was done. The arbitration was made a sort of lumping business. Craig was not allowed for the wall; which I thought he was entitled to. The claims set up by Craig went considerably beyond what the State claimed; but I do not recollect the amount. Gen. Johnson and I agreed, and advised Craig to let

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"The matter of the loss by the fire in the Penitentiary—I never knew much or anything about it. In regard to the building of the stone wall, it was not embraced in the settlement. Recently, I had occasion to examine the papers in the suit brought by the State. They do not show much about what was done. The arbitration was made a sort of lumping business. Craig was not allowed for the wall; which I thought he was entitled to. The claims set up by Craig went considerably beyond what the State claimed; but I do not recollect the amount. Gen. Johnson and I agreed, and advised Craig to let

the settlement stand, and look to the Legislature for what he claimed was right.

"My recollection is distinct that Craig never had any allowance made him for the building of the stone wall over and above what he had previously received; nor was anything allowed him in consequence of the burning of the Penitentiary. My impression is, that the wall and the loss by the fire were not considered by the arbitrators. Craig pressed them before us, but they were thrown out for some reason I do not now recollect."

Which was ordered to be printed.

Mr. Chandler, from the Committee on Agriculture and Manufactures, to whom had been referred a bill from the House of Representatives, entitled

An act to charter the Lexington and Carter County Mining Company,

Reported the same without amendment.

Ordered, That said bill be referred to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to change and fix the times of holding the circuit courts in the 6th judicial district.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to establish a State House of Reform for Juvenile Delinquents.

Mr. Speaker Johnson proposed to amend said bill.

Ordered, That said bill and proposed amendment be recommitted to the Committee on Education, with instructions to report on the 9th inst.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

An act to incorporate the Louisville Brick and Building Company.

By Mr. Field, from the Committee on Circuit Courts—

An act to amend the charter of the town of North Middletown.

By same—

An act for the benefit of the clerk of the Mercer county court.

By same—

An act for the benefit of the Mercer circuit clerk.

By same—

An act to establish a chancery term of the Washington circuit court, and for the trial of motions not requiring a jury.

By Mr. Lindsay, from the Committee on County Courts—

An act to abolish civil district No. 5, Metcalfe county.

By Mr. Webb, from the Committee on Education—

An act for the benefit of school district No. 18, in Casey county.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of Julia Owens, widow of Samuel W. Owens, former clerk of the Mason circuit court.

By same—

An act for the benefit of James N. Frazer, of Harrison county.

By same—

An act for the benefit of Allen Walker, a justice of the peace in Crittenden county.

By same—

An act for the benefit of the late clerks, late sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of Wm. A. Nesbitt.

An act for the benefit of C. T. Cheek.

Resolution in relation to the remains of General Crist.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Daniel W. Hudson, of Ballard county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chandler—

1. A bill concerning the Adjutant General.

On motion of Mr. Spalding—

2. A bill for the benefit of Mrs. Julia Braine.

On motion of same—

3. A bill to amend the town charter of Dixon.

Ordered, That the Committee on Military Affairs prepare and bring in the 1st; the Committee on Circuit Courts the 2d, and the Committee on Codes of Practice the 3d.

The following petitions were presented, viz:

By Mr. Alexander—

1. The petition of citizens of Flemingsburg, asking the repeal of section 19 of corporation law of Flemingsburg.

By Mr. Bradley—

2. The petition of numerous citizens of Hopkins county, asking that Fowler, assessor of said county, be paid for extra labor, caused by the burning of his books.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Finance.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Union and Richwood turnpike road company, in Boone county;

An act to amend the charter of the Independence and Big Bone turnpike road company;

An act to incorporate the Mercer County Agricultural and Mechanical Association;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the estate of A. H. Buckner, deceased, late clerk of the Clark circuit court;

An act for the benefit of the Hon. W. H. Randall, judge of the 15th judicial district;

An act for the benefit of Jos. P. Nuckols, clerk of the Barren county court;

An act making the Harrison Democrat a legally authorized newspaper;

An act for the benefit of George E. Stone and James F. Montgomery;

An act to adopt Michael Crosby, as son and heir of Peter and Ann Kelly;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, FEBRUARY 4, 1869.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the sureties of James Bartley, late sheriff of Monroe county.

An act to charter the St. Patrick's Benevolent Society of Newport.

An act to incorporate the Brick-layers' Union, No. 2, of Covington.

An act to improve the navigation of Licking river.

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

An act for the benefit of the Institution for the Education of Idiots and Feeble-minded Children.

An act declaring Little Sandy river a navigable stream.

An act for the benefit of Franklin Lodge, No. 7, Independent Order of Odd Fellows.

An act to amend an act, entitled "An act to incorporate the Versailles and McCracken's Mill turnpike road company."

An act to charter the Building or Accumulating Fund Association of Newport.

An act for the benefit of the sureties in the revenue bond of Tho. H. Estis, sheriff of Hancock county for the year 1867.

An act to provide for the erection of fire-proof offices at the Seat of Government.

An act to incorporate the Bracken and Pendleton turnpike road company.

An act for the benefit of Robert McAllister, late sheriff of Greenup county.

An act to amend and reduce into one all the several acts in regard to the town of Foster, in Bracken county.

Resolution to pay officers of the General Assembly their daily wages.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Leslie, from the Committee on Finance—

1. A bill for the benefit of W. F. Harrison.

By same—

2. A bill for the benefit of the Estill county court.

By same—

3. A bill for the benefit of Tho. G. Poore, trustee of the jury fund for Hickman county.

By same—

4. A bill to include George Field in the town of Shepherdsville.

By Mr. Field, from the Committee on Circuit Courts—

5. A bill to regulate the fees of circuit court clerks in certain cases.

By Mr. Alexander, from the Committee on Internal Improvement—

6. A bill to amend an act, entitled "An act for the benefit of the Maysville and Lexington railroad company, Northern Division," approved January 21, 1868.

By same—

7. A bill to amend the charter of the Lexington and Big Sandy railroad company, west."

By same—

8. A bill to incorporate the Flemingsburg and Dobynsburg turnpike road company.

By same—

9. A bill to incorporate the Allensville turnpike road company.

By same—

10. A bill to amend an act, entitled "An act to incorporate the Hillsboro and Moore's Ferry turnpike road company."

By same—

11. A bill requiring the Louisville and Nashville railroad company to pay for stock they may negligently kill on said road.

By same—

12. A bill to incorporate the Shepherdsville and Mount Washington turnpike road company.

By Mr. Standeford, from the same committee—

13. A bill incorporating the Claysville, Kentontown, and Mt. Olivet turnpike road company.

By same—

14. A bill incorporating the Berry's Station, Raven's Creek, and Dry Ridge turnpike road company.

By same—

15. A bill to incorporate the Cowan turnpike road company, in Boyle and Mercer counties.

By Mr. Turner, from the Committee on the Judiciary—

16. A bill to amend an act incorporating and chartering the city of Owensboro, approved February 16, 1866.

By Mr. Cooke, from the same committee—

17. A bill to incorporate the United Circle Daughters of Rebecca.

By same—

18. A bill to incorporate the Kentucky Rolling Mill Company.

By same—

19. A bill requiring the chartered banks of this Commonwealth to make semi-annual reports of their condition.

By same—

20. A bill to amend the charter of the Southern Mutual Life Insurance Company of Kentucky.

By same—

21. A bill to repeal section 24, chapter 80, title "Real Estate," of the Revised Statutes.

By same—

22. A bill to prevent and punish fraud in use of trade-marks.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was placed in the orders of the day; the

5th was ordered to be printed, and made the special order of the day for the 9th inst.; the 11th was ordered to be printed and placed in the orders of the day; the 21st and 22d were ordered to be printed, and made the special order of the day for the 16th inst., and the 1st, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, and 20th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of Archibald Homer, of Lewis county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was rejected.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of John Moore, of Franklin county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

Whereas, John Moore produced to Nelson Moore, a justice of the peace for Franklin county, nine red fox heads, and the said Nelson Moore, in ignorance of the amendment to the scalp law, approved March 9th, 1868, pursued the requirements of the act of February 17th, 1866, and issued his certificate for the same; and the Franklin circuit court, at its October term, 1868, allowed the said John Moore the sum of eighteen dollars, the said justice of the peace having destroyed the heads on the 13th April, 1868, this being at a time when the acts of the General Assembly had not been published; and whereas, the Auditor of Public Accounts has refused to pay said sum of eighteen dollars, under the order of the Franklin circuit court; therefore, for relief,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed, upon the production of the certificate of the order of the Franklin circuit court, in

the preamble of this act mentioned, to issue his warrant upon the Treasury in favor of John Moore, for the sum of eighteen dollars.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Joseph M. Alexander,	A. D. Cosby,	I. C. Winfrey,
Robert Boyd,	Philip Swigert,	W. J. Worthington—7.
Tho. P. Cardwell,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. T. Martin,
A. K. Bradley,	W. C. Halbert,	E. D. Standeford,
John B. Bruner,	O. P. Johnson,	W. L. Vories,
Lyttleton Cooke,	P. H. Leslie,	Ben. J. Webb—13.
A. H. Field,		

So said bill was rejected.

Mr. Leslie, from the Committee on Finance, to whom had been referred leave to bring in the following bills, viz:

A bill for the benefit of the trustees of South Carrollton;

A bill for the benefit of Robert Riddell, jr.;

Asked to be discharged from the further consideration of said leaves, which was granted as to the 1st; but the report as to the 2d was placed in the orders of the day.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill to provide for the sale of the stock of the State of Kentucky in the Louisville and Salt River turnpike road company,

Reported the same, with the expression of opinion that said bill ought not to pass.

Ordered, That said report be placed in the orders of the day.

Mr. Alexander, from the Committee on Internal Improvement, reported a bill to amend an act, entitled "An act to incorporate the Male and Female Institute of Calloway County," approved February 24, 1849.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was then amended.

Mr. Bruner moved to amend said bill still further.

Ordered, That said bill and proposed amendment be placed in the orders of the day.

Mr. Cooke, from the Committee on the Judiciary, asked to be discharged from the further consideration of a leave to bring in a bill to incorporate the Southwestern Transportation Association.

Which was granted.

Mr. Cooke, from the Committee on the Judiciary, to whom was referred a bill to provide a mechanics' lien law for the city of Louisville and county of Jefferson,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of H. S. Hale, sheriff of Graves county.

By same—

An act for the benefit of R. H. Earnest, former sheriff of Simpson county.

By same—

An act for the benefit of Albert G. Moore, of the county of Christian.

By same—

An act regulating proceedings against sheriffs, &c., in the Franklin circuit court.

By same—

An act for the benefit of John Boyd, late sheriff of Lyon county.

By same—

An act for the benefit of James H. Reed, late sheriff of Metcalfe county.

By same—

An act for the benefit of John W. Duncan, late sheriff of Wayne county.

By same—

An act for the benefit of John W. Harrell.

By same—

An act for the benefit of Mary E. Hutton.

By Mr. Alexander, from the Committee on Internal Improvement—

An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company.

By same—

An act to incorporate the Willow Creek Navigation Company, in Ballard county.

By same—

An act to incorporate the Burlington and Hebron turnpike road company.

By same—

An act to amend the charter of the Owensboro and Russellville railroad.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A select committee, to whom was referred a bill to change the time of payment of State revenue into the Treasury and to amend the revenue laws,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cooke, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to establish the office of interpreter for the Jefferson circuit court,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	E. D. Standeford,
Jos. M. Alexander,	Joseph Gardner,	Philip Swigert,
R. T. Baker,	O. P. Johnson,	Oscar Turner,
A. K. Bradley,	P. H. Leslie,	W. L. Vories,
Tho. P. Cardwell,	W. Lindsay,	Ben. J. Webb,
Jos. H. Chandler,	I. T. Martin,	I. C. Winfrey,
Lyttleton Cooke,	W. H. Payne,	W. J. Worthington—22.
A. D. Cosby,		

Those who voted in the negative, were—

Robert Boyd,	John B. Bruner,	W. C. Halbert—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of M. B. Goble, of Lawrence county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby allowed to M. B. Goble, late sheriff of Lawrence county, the sum of one hundred and seventy-five dollars and twenty-five cents, out of any moneys in the Treasury not otherwise appropriated, being amount expended by him in procuring the arrest and delivery to the proper authorities, in Kentucky, of one Allen Harrison, colored, charged with felony; and the Auditor will draw his warrant upon the Treasurer in favor of said Goble for the amount aforesaid.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. D. Cosby,	E. D. Standeford,
Jos. M. Alexander,	A. H. Field,	Philip Swigert,
R. T. Baker,	Joseph Gardner,	Oscar Turner,
Robert Boyd,	W. C. Halbert,	W. L. Vories,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb,
Joseph H. Chandler,	W. Lindsay,	I. C. Winfrey,
Lyttleton Cooke,	I. T. Martin,	W. J. Worthington—21.

Those who voted in the negative, were—

A. K. Bradley, John B. Bruner, P. H. Leslie—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Daniel White,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

On motion, leave of indefinite absence was granted to Messrs. Spalding and Standeford.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to adopt Michael Crosby as son and heir to Peter and Ann Kelly.

An act making the Harrison Democrat a legally authorized newspaper.

An act for the benefit of the estate of A. H. Buckner, deceased, late clerk of the Clark circuit court.

An act for the benefit of the Hon. W. H. Randall, judge of the 15th judicial district.

An act for the benefit of Jas. P. Nuckols, clerk of the Barren county court.

An act for the benefit of George E. Stone and James F. Montgomery.

The Senate took up for consideration a resolution, entitled

Resolution to test the constitutionality of a certain congressional enactment therein named and jurisdiction of the United States courts thereunder.

Ordered, That the consideration of said resolution be postponed to, and made the special order of the day for, the 5th inst.

The Senate also took up for consideration a bill to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, the 12th inst.

The Senate also took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Fidelity Insurance Company of Eminence, in Henry county.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, the 12th inst.

Leave was given to bring in the following bills, viz:

On motion of Mr. Speaker (Johnson)—

1. A bill for the benefit of T. W. Samuels, late sheriff of Nelson county.

On motion of Mr. Cosby—

2. A bill to amend the charter of the Owensboro Gas-light Company.

On motion of Mr. W. J. Worthington—

3. A bill for the benefit of the trustees of the town of Greenupsburg, Greenup county.

Ordered, That the Committee on Finance prepare and bring in the 1st and 3d, and the Committee on County Courts the 2d.

The following petitions were presented, viz:

By Mr. Payne—

1. The petition of A. J. Atchinson and others, asking the passage of an act authorizing the admission of negro testimony in case of the Commonwealth against said Atchinson.

By Mr. Winfrey—

2. The petition of James Haggard, asking pay for expenses incurred in conveying lunatic to asylum.

By same—

3. The petition of Cumberland county, asking pay for expenses incurred in keeping lunatic.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d and 3d to the Committee on Finance.

And then the Senate adjourned

FRIDAY, FEBRUARY 5, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to incorporate the Kentucky Rolling Mill Company.

An act to amend the act incorporating and chartering the city of Owensboro, approved February 16, 1866.

An act amending an act, entitled "An act to fix the rent of the Kentucky Penitentiary," approved March 9th, 1867.

An act authorizing the trustees of the town of Madisonville to sell certain burying-grounds in said town.

That they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of the late clerks, late sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

That they had passed bills of the following titles, viz:

1. An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

2. An act to amend section 3, article 6, chapter 16, Revised Statutes.

3. An act providing for suit against certain persons for trespassing on the property of the State.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on Revised Statutes, and the 2d to the Committee on Finance.

That they had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Mercer County Agricultural and Mechanical Association.

An act to amend the charter of the Independence and Big Bone turnpike road company.

An act to incorporate the Ford's Mill and Kentucky River turnpike company.

An act to amend the charter of the Union and Richwood turnpike road company, in Boone county.

An act to amend the charter of the Shelby railroad company, and to authorize certain counties to take stock in the same.

A message was also received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution on the death of Chas. S. Morehead.

Which resolution was taken up and read as follows, viz:

Whereas, His Excellency, the Governor, has announced in his message the death of Chas. S. Morehead, formerly Governor of Kentucky; and the Legislature desire to manifest their respect for his private character and public services; therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the people of Kentucky lament the death of Chas. S. Morehead, and honor his memory for the ability and probity with which he discharged important public trusts, for his manly constancy and courage under great trials, and for the virtue, dignity, and wisdom of his private life.

2. That the Governor is hereby requested to transmit a copy of these resolutions to the family of the deceased, and to proffer the removal of the remains of the dead for interment in the cemetery at Frankfort, with a funeral and appropriate monument, at the expense of the State.

On motion,

Ordered, That said resolution be referred to a select committee, whose duty it shall be to report to the Senate thereon on the 15th inst.

Whereupon, Messrs. Webb, Field, and Swigert were appointed said committee.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

1. A bill furnishing Magoffin county certain books.

By same—

2. A bill to incorporate the Frankfort and Flat Creek turnpike road company.

By same—

3. A bill to incorporate the Frankfort Lumber, Brick, and Implement Manufacturing Company.

By Mr. Baker, from the same committee—

4. A bill for the benefit of the Odd Fellows' Hall in Newport.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

5. A bill to change the line between the counties of Scott and Franklin.

By Mr. Gardner, from the same committee—

6. A bill for the benefit of the citizens of Barboursville, in Knox county.

By Mr. Webb, from the Committee on Education—

7. A bill to organize the Urania school district, in Barren county.

By Mr. Leslie, from the Committee on Finance—

8. A bill for the benefit of T. W. Samuels, late sheriff of Nelson county, and his sureties.

By Mr. Carlisle, from the Committee on the Judiciary—

9. A bill for the benefit of Robert E. Puryear.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 4th was placed in the orders of the day; the 6th was amended, and, together with the 1st, 2d, 3d, 5th, 7th, 8th, and 9th, were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of C. M. Humston, of Henry county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It satisfactorily appears that C. M. Humston, late a sheriff of Henry county, has been erroneously charged with the sum of one hundred and sixty-four dollars and seventeen cents in his settlement with the Auditor, and which amount has been paid by him into the State Treasury through mistake; for remedy whereof,

§ 1. *Be it enacted by the General Ass mbly of the Commonwealth of Kentucky*, That the Auditor be directed to draw his warrant on the Treasury for the said sum of one hundred and sixty-four dollars and seventeen cents ($164 17), in favor of the said C. M. Humston.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Jos. H. Chandler,	I. T. Martin,
Jos. M. Alexander,	A. D. Cosby,	W. H. Payne,
R. T. Baker,	A. H. Field,	Philip Swigert,
Robert Boyd,	Joseph Gardner,	H. Thompson,
A. K. Bradley,	W. C. Halbert,	Ben. J. Webb,
John B. Bruner,	O. P. Johnson,	I. C. Winfrey,
Tho. P. Cardwell,	P. H. Leslie,	W. J. Worthington—22.
John G. Carlisle,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

On motion, the report of the Commissioners of the Sinking Fund in relation to the claims of N. Craig was referred to the Committee on Finance.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom was referred the petition in relation to the boundary line between the counties of Wolfe and Morgan, asked to be discharged from the further consideration of said petition.

Which was granted.

Mr. Martin, from the Committee on Public Buildings, to whom was referred the petition of sundry citizens of Carroll county, in relation to the removal of the Seat of Government, asked to be discharged from the further consideration of said petition.

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

1. An act conferring concurrent jurisdiction on the Fayette circuit court with that of the Lexington city court, in cases of misdemeanors.

By same—

2. An act to amend the charter of the city of Covington.

By Mr. Martin, from the Committee on Religion—

3. An act for the benefit of the trustees of the Class of the Methodist Church, South, in Springfield.

By Mr. Bruner, from the Committee on Revised Statutes—

4. An act to incorporate the Big Sandy Lumber and Improvement Company.

The 2d and 4th of said bills were amended.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooke moved the following resolution, viz:

Resolved, That a committee of five, of which the Speaker shall be *ex-officio* chairman, be appointed to rearrange the titles and subject-matter of reference to the Standing Committees of the Senate.

Which was adopted.

Leave of indefinite absence was granted to Messrs. Turner, Baker, and Field.

Mr. Carlisle moved the following resolution, viz:

Resolved, That two thousand extra copies of the report of the Senate Committee appointed to investigate the condition of Insurance Companies be, and the same are hereby, ordered to be printed for the use of Senators, and that the same be furnished with envelopes and stamps.

Which was adopted.

The Senate took up for consideration the resolution offered by Mr. Martin on yesterday, entitled

Resolution appointing a committee to investigate the condition of the Executive Mansion.

Which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate and three from the House of Representatives be appointed, whose duty it shall be to make a personal examination of the Executive Mansion, with the view to the improvement or addition thereto, and that they report by bill or otherwise.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Philip Swigert,
Joseph M. Alexander,	A. H. Field,	Harrison Thompson,
R. T. Baker,	Joseph Gardner,	Ben. J. Webb,
John G. Carlisle,	I. T. Martin,	W. J. Worthington—13.
Jos. H. Chandler,		

Those who voted in the negative, were—

Robert Boyd,	W. C. Halbert,	W. Lindsay,
A. K. Bradley,	O. P. Johnson,	W. H. Payne,
John B. Bruner,	P. H. Leslie,	I. C. Winfrey—10.
Tho. P. Cardwell,		

Resolved, That the title of said resolution be as aforesaid.

Mr. Field, from the Committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Edwin Thomas, late clerk of the Grayson county and circuit courts,

Reported the same without amendment.

On motion, said bill was laid upon the table.

The Senate took up for consideration a bill to establish a Board of Agriculture and Immigration for the State of Kentucky.

Ordered, That said bill be placed in the orders of the day.

The Senate also took up for consideration a resolution, entitled

Resolution to test the constitutionality of a certain congressional enactment therein named, and the jurisdiction of the United States courts thereunder.

Ordered, That the further consideration of said resolution be postponed to, and made the special order of the day for, the 16th inst.

The following petitions and remonstrance were presented, viz:

By Mr. Leslie—

1. The petition of 132 voters of Hiseville district, asking a change of place of voting in said district.

By Mr. Winfrey—

2. The petition of sundry citizens of Clinton county, asking that J. J. Wood, sheriff of said county, be released from certain liabilities.

By Mr. Halbert—

3. The petition of sundry citizens, asking a change between the Tollsboro and Esculapia precincts.

By Mr. Winfrey—

4. The remonstrance of sundry citizens of Adair county against the transfer of any part of Adair to Taylor county.

Which petitions and remonstrance were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Finance; the 3d to the Committee on County Courts, and the 4th to the Committee on the Judiciary.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act amending an act, entitled "An act to fix the rent of the Kentucky Penitentiary," approved 9th of March, 1867;

An act to change and fix the times of holding the circuit courts in the 6th judicial district;

An act for the benefit of Joshua B. Fitch, late sheriff of Lewis county;

An act to incorporate the Kentucky Rolling Mill Company;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Henderson German School Association;

An act to repeal the 6th section of an act approved 6th of February, 1854, entitled "An act to amend the charter of the Covington and Lexington railroad company, and to alter the rates of freight therein charged;"

An act to amend article 2, chapter 84, of the Revised Statutes, title "Roads and Passways;"

An act to amend an act, entitled "An act to incorporate the Western Insurance Company;"

An act to incorporate the Richmond Printing Company;

An act to incorporate the Willow Creek Navigating Company, in Ballard county;

An act to amend the several acts in regard to the town of Benton;

An act to amend the charter of the town of North Middletown;

An act for the benefit of the Mercer circuit clerk;

An act to enable the Hart county court to pay indebtedness and current expenses of Hart county;

An act to incorporate the Louisville Brick and Building Company;

Resolution in regard to printing report of the Trustees of the Institution for the Education of the Blind;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

SATURDAY, FEBRUARY 6, 1869.

The Senate met, and, on a call of the roll, the following Senators answered to their names, viz:

Mr. Speaker (Johnson),	Jos. H. Chandler,	W. Lindsay.
Jos. M. Alexander,	Lyttleton Cooke,	Philip Swigert,
A. K. Bradley,	A. D. Cosby,	Harrison Thompson,
John B. Bruner,	Joseph Gardner,	Ben. J. Webb,
Tho. P. Cardwell,	O. P. Johnson,	I. C. Winfrey,
John G. Carlisle,	P. H. Leslie,	W. J. Worthington—18.

There being no quorum present, the Senate then adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, FEBRUARY 8, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills from the House of Representatives, of the following titles, viz:

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

An act for the benefit of Evan E. Settle.

An act to incorporate the Big Sandy Lumber and Improvement Company.

That they had concurred in the amendment proposed by the Senate to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Bank Lick turnpike road company.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Mrs. Pamelia M. Waggoner.

An act to carry into effect certain surveys made by Robert P. Davis, deceased, late surveyor of Breathitt county.

An act to amend the charter of the Lexington and Big Sandy railroad company, west.

With an amendment to the last named bill.

Which was concurred in.

That they had passed bills of the following titles, viz:

1. An act in relation to warehousemen and warehouse receipts.

2. An act to charter the Marion School Association, in Crittenden county.

3. An act to incorporate the Odd Fellows' Temple Association.

4. An act to authorize the taking of depositions in certain cases in the Washington circuit court.

5. An act to compensate jurors in justices', police, and quarterly courts in the county of Kenton.

6. An act to repeal the court of common pleas in Calloway county, in the 1st judicial district.

7. An act to regulate the tolls on the Lexington and Newtown turnpike road.

8. An act to regulate and create the office of treasurer for Carroll county.

9. An act to legalize certain acts of the Oldham county court, and to authorize the enforcement of the same.

10. An act authorizing the county judge of Green county to levy a tax to repair the court-house of Green county.

11. An act to incorporate the Licking and Big Sandy railroad company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Education; the 3d to the Committee on Revised Statutes; the 4th and 6th to the Committee on Circuit Courts; the 5th, 8th, 9th, and 10th to the Committee on County Courts, and the 7th and 11th to the Committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution,

which originated in the House of Representatives, of the following titles, viz:

An act to enable the Hart county court to pay indebtedness and current expenses.

An act to incorporate the Louisville Brick and Building Company.

An act to amend the several acts in regard to the town of Benton.

An act to incorporate the Richmond Printing Company.

An act to incorporate the Henderson German School Association.

An act to amend article 2, chapter 84, of the Revised Statutes, title "Roads and Passways."

An act for the benefit of the Mercer circuit court clerk.

An act to amend the charter of the town of North Middletown.

Resolution in regard to printing report of the trustees of the Institution for the Education of the Blind.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Lindsay, from the Committee on County Courts—

1. A bill to authorize the county court of Butler county to issue bonds to build a jail and repair court-house.

By same—

2. A bill to change the line between the Tollsboro and Esculapia voting precincts in Lewis county.

By same—

3. A bill to authorize the sale of the Poplar Grove Church property, and the reinvestment of the proceeds arising therefrom.

By Mr. Carlisle, from the Committee on the Judiciary—

4. A bill to establish a conventional rate of interest.

By same—

5. A bill to change the times of holding the circuit and criminal courts in the 12th judicial district.

By same—

6. A bill to amend an act, entitled "An act to incorporate the Evansville, Henderson, and Nashville railroad company," approved January 27, 1867.

By same—

7. A bill to continue in force an act, entitled "An act to amend article 3, chapter 86, of the Revised Statutes," approved September 30, 1861.

By same—

8. A bill requiring the publication of lists of uncalled for balances

on deposit in the hands or under the control of banks, corporations, commissioners, or receivers of courts.

By same—

9. A bill for the benefit of the county court of Breckinridge county.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

10. A bill to change the place of voting in the Hiseville district, in Barren county.

By Mr. Bradley, from the Committee on Revised Statutes—

11. A bill to incorporate the Greenupsburg Building Association.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 4th was ordered to be printed, and made the special order of the day for the 10th inst.; the 8th was ordered to be printed and placed in the orders of the day, and the 1st, 2d, 3d, 5th, 6th, 7th, 9th, 10th, and 11th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, reported a bill to amend the revenue laws of this Commonwealth.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all bonds executed by sheriffs and collectors of revenue shall be valid and binding upon them and their sureties, whether said bond be executed at the time now fixed by law or after that time, and the same remedies shall be had to recover them as are now given upon bond executed at the January or February term of county court.

§ 2. That the same remedies shall be had upon bonds of sheriffs heretofore executed after the January or February terms of county court as though they had been executed during either of said months.

§ 3. This act shall take effect from its passage.

Mr. Spalding then moved to amend said bill as follows, viz:

Amend first section by inserting after the word "bonds," where it first occurs, the word "hereafter."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

John B. Bruner,	Joseph Gardner,	W. H. Payne,
John G. Carlisle,	O. P. Johnson,	I. A. Spalding,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—9.

Those who voted in the negative, were—

Jos. M. Alexander,	Tho. P. Cardwell,	W. L. Vories,
F. M. Allison,	Joseph H. Chandler,	Ben. J. Webb,
Robert Boyd,	P. H. Leslie,	W. J. Worthington—11.
A. K. Bradley,	Philip Swigert,	

Mr. Spalding then moved to amend said bill by striking out the second section.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Jos. H. Chandler,	W. L. Vories,
F. M. Allison,	Joseph Gardner,	Ben. J. Webb,
Robert Boyd,	P. H. Leslie,	W. J. Worthington—11.
A. K. Bradley,	Philip Swigert,	

Those who voted in the negative, were—

John B. Bruner,	A. D. Cosby,	W. H. Payne,
Tho. P. Cardwell,	O. P. Johnson,	I. A. Spalding,
John G. Carlisle,	W. Lindsay,	I. C. Winfrey—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred a bill to repeal the charter of Mt. Vernon, in Rockcastle county,

Reported the same, with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was rejected.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Lindsay, from the Committee on County Courts—

An act to authorize the Boyd county court to make a road from Catlettsburg to the Lawrence county line.

By same—

An act to change the time of holding the Marion quarterly court.

By same—

An act to enlarge the voting precinct of Mt. Sterling.

By same—

An act to change the place of voting in district No. 5, in McCracken county.

By Mr. Alexander, from the Committee on Internal Improvement—

An act to incorporate the Hartford Railroad and Mining Company.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to prevent prize-fighting and training for prize-fighting in this Commonwealth.

By same—

An act for the benefit of the representatives and heirs of Wm. J. Fields, deceased, late sheriff of Carter county, and his sureties.

By Mr. Bradley, from the Committee on Revised Statutes—

An act for the benefit of the Ryder Cemetery Company.

By same—

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

By same—

An act to incorporate the Richmond Hotel Company.

By same—

An act to amend the charter of Allensville.

By same—

An act to incorporate the Cloverport and Panther Creek turnpike road company.

By same—

An act for the benefit of Montgomery Howard, jr.

By Mr. Bruner, from the same committee—

An act making the amended road law, approved February 17th, 1866, apply to Breckinridge county.

By Mr. Carlisle, from the Committee on the Judiciary—

An act for the benefit of Wm. Grisham.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the Lexington, Harrodsburg, and Perryville turnpike road company;

An act to charter the Rio Bridge Company, in Hart county;

Asked to be discharged from the further consideration of said bills, and that they be referred to the Committee on Finance.

Which was granted, and the bills so referred.

Mr. Carlisle, from the Committee on the Judiciary, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to legalize and carry out an ordinance of the city of Lexington.

Which was granted.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

Executive Department,
Frankfort, Ky., February 8, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

Robert N. Winn, of Clark county.
L. Shaw, of Kenton county.
J. D. Bryan, of Bullitt county.
W. B. Wilson, of Henry county.
Geo. W. Riley, of Marion county.
J. W. Bickers, of McLean county.
R. D. Murray, of Hardin county.
Noah Spears, of Scott county.
Charles B. Seymour, of Jefferson county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointment.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act for the benefit of Harriet N. Robinson, of Taylor county.

Which was concurred in.

The Senate also took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act for the benefit of the town of Mt. Carmel, in Fleming county.

Which was concurred in.

The Senate also took up for consideration the disagreement of the House of Representatives to an amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the protection of game in certain counties of the State.

Ordered, That said bill, proposed amendment, and disagreement be referred to the Committee on Agriculture and Manufactures.

The Senate took up for consideration bills of the following titles, viz:

1. A bill to authorize the Governor to subscribe stock on behalf of the State in certain railroad companies, and to provide for paying the same.

2. A bill to establish a Board of Agriculture and Immigration for the State of Kentucky.

3. A bill for the benefit of the Odd Fellows' Hall, in Newport.

Ordered, That the 1st be referred to the Committee on the Judiciary; the 2d to the Committee on Immigration and Labor, and the 3d to the Committee on Finance.

Leave was given to bring in the following bills, viz:

On motion of Mr. Thompson—

1. A bill to incorporate the Clark and Montgomery County turnpike road company.

On motion of Mr. Cardwell—

2. A bill for the benefit of A. Little, late school commissioner of Breathitt county.

On motion of same—

3. A bill for the benefit of R. B. Gardner, of Breathitt county.

On motion of Mr. Webb—

4. A bill to incorporate the Germania Market Company of Louisville.

On motion of Mr. Boyd—

5. A bill changing the Wilderness State road, in Laurel county.

On motion of Mr. Winfrey—

6. A bill for the benefit of the Russell county court.

On motion of Mr. W. J. Worthington—

7. A bill to amend the charter of the Northeastern Agricultural and Mechanical Association.

On motion of same—

8. A bill to amend the act incorporating the Ashland Library Company.

On motion of same—

9. A bill for the benefit of William Little and others, owners of a ferry across the Ohio river.

On motion of same—

10. A bill to incorporate the Greenupsburg Seminary Company.

On motion of same—

11. A bill to amend the charter of the Bank of Asbland.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 2d, 3d, 8th, and 10th; the Committee on Revised Statutes the 4th; the Committee on Propositions and Grievances the 5th; the Committee on Agriculture and Manufactures the 7th; the Committee on County Courts the 6th and 9th, and the Committee on Banks the 11th.

Mr. Bruner presented the petition of sundry citizens of Breckinridge county, asking that Harrison Lay be allowed to engage in the grocery business without a license.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

And then the Senate adjourned

TUESDAY, FEBRUARY 9, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act for the benefit of W. D. Black, former sheriff of Pulaski county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of James H. Hall, late sheriff of Powell county.

An act for the benefit of the sureties of J. H. Butler, late sheriff of Allen county.

An act for the benefit of Leslie Johnson, late sheriff of Letcher county.

An act to provide expenses to the Governor when absent from the Seat of Government on business of the State.

An act for the benefit of A. J. Landsdown.

An act for the benefit of the Schollsville Branch of the Winchester Red River Iron Works turnpike road company.

An act for the benefit of James Archie Davis, a pauper idiot.

An act for the benefit of W. M. Rhea.

An act for the benefit of the sureties of Wm. Herrin, late sheriff of Fulton county.

With amendments to the last two named bills.

That they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the benefit of Wm. Grisham.

That they had passed bills of the following titles, viz:

1. An act to prevent deer-driving in that portion of Lyon county lying between the Cumberland and Tennessee rivers.

2. An act for the benefit of John L. Slavin, sheriff of Garrard county.

3. An act applying the general mechanics' lien law to Taylor and Green counties.

4. An act to incorporate Christ Episcopal Church, Bowling Green.

5. An act for the benefit of the trustees of Providence Church, in the county of Mercer.

6. An act to incorporate Ashland Cumberland Presbyterian Church, in Crittenden county.

7. An act to incorporate Confidence Lodge, No. 204, of the independent Order of Good Templars, of Augusta.

8. An act for the benefit of John French, late sheriff of Powell county.

9. An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties.

10. An act for the benefit of W. S. Hicks, late sheriff of Henderson county, and his sureties.

11. An act for the benefit of Elijah Litton, late sheriff of Whitley county.

12. An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court.

13. An act for the benefit of Thos. B. Vinson, of Grayson county.

14. An act for the benefit of John C. Howard, late sheriff of Harlan county.

15. An act for the benefit of G. S. Jones, late sheriff of Marshall county.

16. An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties.

17. An act for the benefit of John H. Allison and sureties.

18. An act to authorize the Greenup county court to levy an ad valorem tax for the payment of certain bonds therein mentioned.

19. An act for the benefit of S. J. Taylor, committee for Wm. Cox.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on Agriculture and Manufactures; the 2d, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, and 17th to the Committee on Finance; the 4th, 5th, and 6th to the Committee on Religion; the 7th and 19th to the Committee on Revised Statutes, and the 18th to the Committee on County Courts.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend the charter of the Russellville District turnpike road.

Which was taken up, read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Garriott, from the Committee on County Courts—

1. A bill to authorize the appointment of a treasurer for Trimble county.

By Mr. Leslie, from the Committee on Finance—

2. An act to establish a conventional rate of interest

By same—

3. A bill to amend the charter of the Kentucky Female College, situated at Shelbyville.

By same—

4. A bill to amend the charter of Jefferson Seminary, in Barren county.

By same—

5. A bill to charter the Glasgow Manufacturing Company.

By Mr. Gardner, from the Committee on Propositions and Grievances—

6. A bill for the benefit of James A. Ward, late sheriff of Johnson county.

By Mr. Cooke, from the Committee on Banks—

7. A bill to amend the charter of the Bank of Ashland, and to incorporate the Bank of Shelbyville.

By same—.

8. A bill to charter the Deposit Bank of Glasgow.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was ordered to be printed, and placed in the orders of the day; the 3d was recommitted to the Committee on Finance; the 6th was referred to the same committee, and the 1st,

4th, 5th, 7th, and 8th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of John Seaton, of Greenup county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

Whereas, John Seaton did, under an order of the Greenup circuit court, prepare a complete index and cross-index of the judgments of the Greenup circuit court for the years from 1804 to 1841, including said year, from old indexes, which were in a worn and ruinous condition—the work embraces the judgments for a period of over thirty-seven years; and whereas, there is no law authorizing the payment of the same; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of the State in favor of John Seaton, for the sum of six hundred dollars, to be paid out of any money unexpended in the Public Treasury.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. D. Cosby,	W. H. Payne,
Jos. M Alexander,	A. H. Field,	I. A. Spalding,
Robert Boyd,	Joseph Gardner,	E. D. Standeford,
Tho. P. Cardwell,	G. A. C. Holt,	Philip Swigert,
John G. Carlisle,	O. P. Johnson,	Ben. J. Webb,
Jos. H. Chandler,	W. Lindsay,	I. C. Wintrey.
Lyttleton Cooke,	D. Y. Lyttle,	W. J. Worthington—21.

Those who voted in the negative, were—

F. M. Allison,	John B. Bruner,	P. H. Leslie—4.
A. K. Bradley,		

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Alexander, from the Committee on Internal Improvement—

An act to regulate the tolls on the Lexington and Newtown turnpike road.

By Mr. Lindsay, from the Committee on County Courts—

An act to amend an act to increase the jurisdiction of quarterly courts and courts of justices of the peace in Whitley county," approved February 15, 1864.

By same—

An act to legalize certain acts of the Oldham county court, and to authorize the enforcement of the same.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to amend section 3, article 6, chapter 16, Revised Statutes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 3, article 6, chapter 16, of the Revised Statutes, be, and the same is hereby, so amended as to apply to and embrace the Clerk of the Court of Appeals.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John G. Carlisle,	D. Y. Lyttle,
Jos. M. Alexander,	Joseph H. Chandler,	Philip Swigert,
A. K. Bradley,	A. H. Field,	Ben. J. Webb—11.
John B. Bruner,	Joseph Gardner,	

Those who voted in the negative, were—

F. M. Allison,	Evan M. Garriott,	W. H. Payne,
Robert Boyd,	O. P. Johnson,	E. D. Standeford,
Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey,
A. D. Cosby,	W. Lindsay,	W. J. Worthington—12.

So said bill was disagreed to.

Mr. Leslie then moved to reconsider the vote by which the Senate had disagreed to the passage of said bill.

Which motion was only entered.

Mr. W. J. Worthington moved to reconsider the vote by which the Senate had concurred in the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Lexington and Big Sandy railroad company, west.

Which motion was only entered.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Joshua B. Fitch, late sheriff of Lewis county.

An act to change and fix the times of holding the circuit courts in the 6th judicial district.

An act to incorporate the Kentucky Rolling Mill Company.

An act amending an act, entitled "An act to fix the rent of the Kentucky Penitentiary," approved 9th of March, 1867.

Mr. Webb, from the Committee on Education, in pursuance of instruction, reported a bill from the House of Representatives, which to them had been referred, entitled

An act to establish a State House of Reform for Juvenile Delinquents,

Together with sundry amendments.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of the State of Kentucky shall, within thirty days after the passage of this act, appoint three commissioners, for the purpose of selecting a suitable site and grounds on which to be erected the "House of Reform for Juvenile Delinquents;" and the said commissioners, who are hereby given full power to contract for and purchase land, consisting of not less than one hundred and fifty, nor more than three hundred acres, for a site, shall, within four weeks from the time of their appointment, proceed to examine and determine upon the site aforesaid, and shall locate the same at some suitable place within this State. In determining such location, the said commissioners shall take into consideration any proposition which may be made to them, and of the performance of which they shall have satisfactory assurance, to give or sell to the State the land necessary for the site of said House of Reform, or any part thereof, or

to give to the State any materials or money to aid in the erection thereof; and any bond or other obligation, executed to the Commonwealth of Kentucky, and delivered to said commissioners to secure any such land, money, or materials for the purpose aforesaid, shall be valid and binding upon the parties executing the same.

§ 2. If the said commissioners shall procure, by purchase or voluntary cession, the land, or any part thereof, necessary for the site for said House of Reform, the deed thereof shall be duly executed to the Commonwealth of Kentucky, and delivered to the Auditor of this State, who shall cause the same to be recorded in the office of the county where the land lies. The Treasurer of this State is hereby directed, after the execution and delivery of said deed, to pay, on the warrant of said Auditor, to the grantor or grantors of whom the said land shall be purchased, such sum or sums as may be required to pay for said land, agreeable to the contract of said commissioners, not exceeding twenty thousand dollars.

§ 3. At any time, not exceeding thirty days, after the said land shall be obtained by the commissioners, the Governor shall appoint three other commissioners to contract for the erection and inclosure of the said House of Reform, on such plan and such terms as they may deem just and proper: *Provided*, That said House of Reform shall be built in a plain and substantial manner, and shall not cost, including inclosure and improvements, more than thirty thousand dollars, unless the amount paid for the land shall be less than twenty thousand dollars, and then so much may be expended for improvements, when added to the amount paid for the land, as will make the sum of fifty thousand dollars: *And provided also*, That said commissioners shall select and designate one of their number, who shall superintend the building of said House of Reform, with a view to a due execution of the work on the part of those with whom the said commissioners shall contract for the erection and inclosure thereof.

§ 4. The said commissioners mentioned in the last preceding section, before they enter upon the duties of their office, shall each give his covenant to the Commonwealth of Kentucky, with two or more sufficient sureties, to be approved by the Auditor, conditioned for the faithful performance of the duties required of him by this act.

§ 5. The Treasurer is hereby directed to pay the said commissioners, on the warrant of the Auditor, out of any money in the Treasury not otherwise appropriated, such sum or sums of money as they may require, from time to time, for the building of said House of Reform, not exceeding such amount as will, with the sum drawn and paid for the land for said House of Reform, amount to fifty thousand dollars, at such time as the same may be wanted by said commissioners, in sums not exceeding five thousand dollars at any one time.

§ 6. It shall be the duty of said commissioners to make a detailed report of all the moneys received and expended by them, by virtue of this act, and of the progress which shall have been made in the erection and inclosure of said buildings, to the Governor, on or before the first day of December next, and as often thereafter as he shall or may require.

§ 7. Each of said commissioners first mentioned in this act shall be allowed and paid by the Auditor his necessary expenses while actually employed in the duties of his appointment.

§ 8. Each of said commissioners to be appointed by virtue of this act, to contract for and superintend the building of said House of Reform, shall be allowed for his services, and paid by the Treasurer, out of any money not otherwise appropriated, upon the warrant of the Auditor, while necessarily employed in the duties of his office, the sum of five dollars per day.

§ 9. The said commissioners shall, for at least four weeks, advertise in a newspaper published in each of the cities of Louisville, Frankfort, Lexington, and Covington, for sealed proposals for erecting and completing the said buildings and inclosures, and shall make a contract for the same with the lowest and best bidder or bidders: *Provided*, Such bidder or bidders shall, in the opinion of said commissioners, be competent in all respects to do said work, and shall give satisfactory security for the performance of his or their contract: *And provided further*, That said contract, in the opinion of said commissioners, shall be for the best interests of the State.

§ 10. The Governor shall appoint and commission five discreet men, who shall act as managers of the House of Reform established by virtue of this act, and who shall, on the acceptance of their respective appointments, perform the duties required of them by virtue of this act without compensation.

§ 11. Whenever a vacancy occurs in the said board of managers, such vacancy shall be filled by the Governor, with the consent of the Senate; the terms of office of such managers shall be four years. The said managers shall have power to make all such rules, regulations, ordinances, and by-laws for the government, discipline, and management of said House of Reform, and the inmates and officers thereof, as to them may appear just and proper: *Provided*, That said rules, regulations, ordinances, and by-laws be submitted to, and approved of by, the Governor.

§ 12. The said managers shall appoint a superintendent of the said House of Reform, and such other officers as they may deem necessary for the interest of the institution, with a view to the accomplishment of the object of its establishment and the economy of its management; and the said managers shall make a detailed report to the Governor of the performance of their duties, and the condition of the Institution, on or before the 15th day of November in each year.

§ 13. The said managers and superintendent shall receive and take into said House of Reform all white male and female children between the ages of seven and sixteen years, who shall be legally committed to the said House of Reform as vagrants, or on a conviction of any criminal offense less than murder, by any court having authority to make such commitments. The said managers shall have power to place the children committed to their care, during the minority of such children, at such employments, and cause them to be instructed in such branches of useful knowledge, as shall be suitable to their years and capacities: *Provided*, That the charge and power of said managers upon and over the said children shall not extend beyond the

age of twenty-one years: *Provided further*, That all of the courts of this State having criminal jurisdiction, upon the conviction of a white woman of any crime less than murder, may sentence her to the House of Reform for any number of years not exceeding the time, by the criminal laws of this State, she may now be sent to the Penitentiary for a like offense.

§ 14. That it shall be the duty of the Governor to draw from the Treasury such sums of money as he may deem necessary to pay the superintendent and other officers, and the support and maintenance of said institution, for one year from the time it is opened to receive inmates; not exceeding, however, the sum of ten thousand dollars.

§ 15. Whenever the said House of Reform shall, in the opinion of the commissioners authorized to be appointed by the third section of this act, be in readiness for the reception of persons committed thereto, the said commissioners shall make duplicate certificates thereof, one of which they shall transmit to the Governor of this State, and the other of which they shall cause to be filed in the office of the clerk of the county court in which such House of Reform shall be situated. The Governor, in receiving such certificate, shall notify the fact to the people of this Commonwealth by official proclamation.

§ 16. From and after making such proclamation, the courts of criminal jurisdiction of this State shall sentence to said House of Reform every white male and female between the ages of seven and sixteen years, who shall be convicted before such court of any less felony than murder. The said courts may, in their discretion, sentence to the said House of Reform any such male or female who may be convicted before them of petit larceny; and the courts and magistrates having jurisdiction of vagrancy shall send to said House of Reform any such male or female who may be convicted before them as a vagrant.

§ 17. It shall be the duty of the courts of criminal jurisdiction in this State to ascertain, by such proof as may be in their power, the age of every delinquent by them respectively sentenced to the said House of Reform, and to insert such age in the order of commitment; and the age thus ascertained shall be deemed and taken to be the true age of such delinquent.

§ 18. In cases where any such court shall omit to insert in the order of commitment the age of any delinquent committed to said House of Reform, the managers shall, as soon as may be after such delinquent shall be received by them, ascertain his or her age by the best means in their power, and cause the same to be entered in a book to be designated by them for the purpose; and the age of such delinquent thus ascertained shall be deemed and taken to be the true age of such delinquent.

§ 19. The managers are hereby vested with power to discharge such persons, who have not been convicted of crime by the judgment of some court of competent jurisdiction, from said House of Reform, whose good conduct may warrant their discharge.

§ 20. In all cases where persons are discharged from said House of Reform, or their time expires by limitation, the managers shall give to each one entitled thereto a certificate of good character and recom-

mendation for the particular business in which he or she has been instructed.

§ 21. No sectarian influence or teaching shall be allowed or permitted in said institution; but the ministers of all denominations may, at suitable times, be allowed to teach the inmates of said institution, of their own faith only, the doctrines of their church; and any of said ministers shall be called in at any time, in cases of sickness, to administer the rites or ordinances of their church to any inmate demanding the same.

§ 22. In selecting the three commissioners, to designate and fix the locality of said "House of Reform for Juvenile Delinquents," it shall be the duty of the Governor to appoint one commissioner from the section of the State south of Green river; one from the section between the Green and Kentucky rivers; and one from the section north of the Kentucky river.

§ 23. This act shall take effect from its passage.

The first amendment proposed by the committee was as follows:

In section thirteen, lines two and three, strike out the words "between the ages of seven and sixteen years," and insert in lieu thereof the words "under twenty years of age."

Which was adopted.

The second amendment proposed by the committee was as follows:

Amend section sixteen by striking out of the third line the words "between the ages of seven and sixteen years," and inserting in lieu thereof the words "under twenty years of age."

Which was adopted.

The third amendment proposed by the committee was as follows:

Amend the thirteenth section by striking out of the fourth line the words "as vagrants," and also the letter "a."

Which was adopted.

Mr. Chandler then proposed to amend the bill as follows:

In section twenty-two, third line, strike out the words "one commissioner," and insert the words "two commissioners."

Which was adopted.

Also to amend first section by striking out from the third line the word "three," and insert the word "six."

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Jos. H. Chandler,	D. Y. Lyttle,
Jos. M. Alexander,	Lyttleton Cooke,	W. H. Payne,
F. M. Allison,	A. D. Cosby,	I. A. Spalding,
Robert Boyd,	A. H. Field,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	Philip Swigert,
John B. Bruner,	Evan M. Garriott,	Ben. J. Webb,
Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey—23.
John G. Carlisle,	W. Lindsay.	

Those who voted in the negative, were—

G. A. C. Holt, O. P. Johnson—2.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill to repeal all laws imposing a tax on dogs.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all laws imposing tax upon dogs be, and the same are hereby, repealed.

§ 2. This act to take effect from its passage.

Mr. Alexander moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garriott and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Joseph M. Alexander,	A. H. Field,	W. H. Payne,
John B. Bruner,	Joseph Gardner,	E. D. Standeford,
John G. Carlisle,	P. H. Leslie,	Philip Swigert,
Lyttleton Cooke,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	D. Y. Lyttle,	W. J. Worthington—15.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Tho. P. Cardwell,	O. P. Johnson,
F. M. Allison,	Jos. H. Chandler,	I. A. Spalding,
Robert Boyd,	Evan M. Garriott,	I. C. Winfrey—11.
A. K. Bradley,	G. A. C. Holt,	

The Senate took up for consideration a bill to regulate the fees of circuit court clerks in certain cases.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter, clerks of circuit courts in this State shall receive the same fees, for services rendered in criminal and penal cases, as are now allowed by law in civil cases.

§ 2. That, at the end of each term of the court, they shall make out their fee bills for such services against the Commonwealth, which shall be examined and approved by the Commonwealth's Attorney, and allowed by the court; and when so approved and allowed, shall be paid by the trustee of the jury fund of that county in which such service is rendered, and said trustee shall draw on the Auditor for whatever sum may be necessary.

§ 3. That this act shall take effect from and after its passage.

Said bill was then amended as follows, viz:

In section one, line two, after the word "circuit," and before the word "courts," insert "and criminal."

Which was adopted.

Same section, line three, strike out the words "and penal."

Which was adopted.

Mr. Swigert then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Field and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	W. H. Payne,
Jos. M. Alexander,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	O. P. Johnson,	Ben. J. Webb,
Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey,
Jos. H. Chandler,	W. Lindsay,	W. J. Worthington—16.
Joseph Gardner,		

Those who voted in the negative, were—

F. M. Allison,	Lyttleton Cooke,	D. Y. Lyttle,
Robert Boyd,	A. D. Cosby,	I. A. Spalding,
A. K. Bradley,	A. H. Field,	E. D. Standeford—10.
Jno. G. Carlisle,		

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—

1. A bill to incorporate the Shepherdsville and Cedar Grove Church turnpike road company.

On motion of Mr. Payne—

2. A bill granting privileges to J. R. Golladay, of Warren county.

On motion of same—

3. A bill to authorize the presiding judge of the Warren county court to have certain record books transcribed.

On motion of same—

4. A bill to authorize the trustees of the town of Bowling Green to grant coffee-house license.

On motion of same—

5. A bill authorizing the trustees of Bowling Green to sell any portion of Fairview Cemetery.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on the Revised Statutes the 2d, 4th, and 5th, and the Committee on County Courts the 3d.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bank Lick turnpike road company;

An act to amend and reduce into one all acts in regard to the town of Concord, in Lewis county;

An act authorizing the trustees of the town of Madisonville to sell certain burying-grounds in said town;

An act to amend the act incorporating and chartering the city of Owensboro, approved February 16, 1866;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the late clerks, late sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills;

An act to amend the charter of the town of Bardstown;

An act for the benefit of J. C. Calhoun, sheriff of McCracken county;

An act for the benefit of Evan E. Settle;

An act for the benefit of John Boyd, late sheriff of Lyon county;

An act to amend the charter of the town of Elkton;

An act to incorporate the Bourbon Library Association;

An act to incorporate the town of Lusby, in Owen county;

An act for the benefit of the clerk of the Mercer county court;

An act to abolish civil district No. 5, Metcalfe county;

An act for the benefit of R. H. Earnest, former sheriff of Simpson county;

An act for the benefit of M. B. Goble, of Lawrence county;

An act for the benefit of John W. Harrell;

An act for the benefit of Mary E. Hutton;

An act regulating proceedings against sheriffs, &c., in the Franklin circuit court;

An act to establish the office of interpreter for the Jefferson circuit court;

An act for the benefit of John W. Duncan, late sheriff of Wayne county;

An act for the benefit of James H. Reed, late sheriff of Metcalfe county;

An act for the benefit of H. S. Hale, sheriff of Graves county;

An act for the benefit of Albert G. Moore, of the county of Christian;

An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company;

4. An act to incorporate the Big Sandy Lumber and Improvement Company;

An act to amend the charter of the Owensboro and Russellville railroad company;

An act conferring concurrent jurisdiction on the Fayette circuit court with that of the Lexington city court, in cases of misdemeanors;

An act for the benefit of the trustees of the Class of the Methodist Church, South, in Springfield;

An act for the benefit of the representatives and heirs of Wm. J. Fields, deceased, late sheriff of Carter county, and his sureties;

An act to regulate tolls on the Lexington and Newtown turnpike road;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 10, 1869.

A message was received from the House of Representatives, announcing that they had passed bills, of the following titles, viz:

1. An act to require the county clerk of Meade county to have certain books rebound.

2. An act to amend an act, entitled "An act to authorize the county judge of Kenton county to sell the poor-house in said county," approved February 27, 1867.

3. An act to amend an act, entitled "An act to amend the law in relation to the selection and payment of jail guards," passed the 9th of March, 1867, so far as Kenton county is concerned.

4. An act to amend an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26, 1868.

5. An act for the benefit of Joseph L. McCarty, late sheriff of Whitley county, and his sureties.

6. An act for the benefit of the sureties of B. W. Clever, late sheriff of Grayson county, in his revenue bond for 1866.

7. An act for the benefit of Benjamin F. Jameson, former sheriff of Hart county.

8. An act for the benefit of W. A. Ronald, late sheriff of Jefferson county.

9. An act for the benefit of Breathitt and Morgan counties.

10. An act for the benefit of Isom Johnson, sheriff of Henderson county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Circuit Courts; the 2d and 3d to the Committee on County Courts; the 4th to the Committee on Revised Statutes, and the 5th, 6th, 7th, 8th, 9th, and 10th to the Committee on Finance.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Willow Creek Navigating Company, in Ballard county.

An act to amend an act, entitled "An act to incorporate the Western Insurance Company."

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court.

Which was granted, and the bill delivered to the messenger.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Field, from the Committee on Circuit Courts—

1. A bill creating a special term of the Bullitt circuit court for the trial of equity causes, and motions not requiring the intervention of a jury.

By Mr. Lindsay, from the Committee on County Courts—

2. A bill to repeal the 19th section of an act, entitled "An act to amend and reduce into one all acts incorporating and relating to the town of Flemingsburg."

By same—

3. A bill changing the time of holding the quarterly courts of Hancock county.

By Mr. Webb, from the Committee on Education—

4. A bill to incorporate the Greenupsburg Academy Company.

By same—

5. A bill to amend an act, entitled "An act to incorporate the Ashland Library Company," approved March 9, 1868.

By same—

6. A bill to amend the charter of the Northeastern Kentucky Agricultural and Mechanical Association.

By Mr. Alexander, from the Committee on Internal Improvement—

7. A bill to incorporate the Shepherdsville and Cedar Grove Church turnpike road company.

By Mr. Winfrey, from the Committee on Military Affairs—

8. A bill to pay military claims audited by the Quarter-Master General.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

9. A bill for the benefit of certain indigent deaf mutes.

By Mr. Bradley, from the Committee on Revised Statutes—

10. A bill to amend and reduce into one the acts in relation to the town of Ashland.

By Mr. Payne, from the same committee—

11. A bill to authorize the sale of part of Fairview Cemetery.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 8th and 9th were ordered to be printed, and placed in the orders of the day, and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 10th, and 11th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Payne, from the Committee on Revised Statutes, reported a bill granting lottery privileges to J. R. Golladay.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, J. R. Golladay is a poor young man, and entirely blind, and without the ordinary facilities of making a living; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the free privilege is hereby granted to the said J. R. Golladay to dispose of any and all goods and property of his own that he may choose by lottery; and for so doing, he shall not be subject to the penalties of the law against lotteries: *Provided*, That each drawing shall be superintended and conducted publicly by a committee and according to such order as shall be chosen and adopted by the holders of tickets present at the time of the drawing, each ticket entitling the holder thereof to one vote: *And provided further*, That public notice of each drawing shall be duly given in the ordinary form of lottery advertisement schemes indiscriminately circulated.

§ 2. The privileges herein granted shall not be transferable, and no one shall have any interest therein except the said J. R. Golladay; and the privileges herein granted may be repealed at any time.

§ 3. This act shall take effect from and after its passage.

Mr. Bruner then moved to amend the bill as follows, viz:

Add to the bill the following proviso:

Provided, That the provisions of this act shall extend to all white blind citizens of this Commonwealth.

Mr. Lindsay then moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Holt and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	Jno. W. F. Parker,
Robert Boyd,	P. H. Leslie,	E. D. Standeford,
John B. Bruner,	W. Lindsay,	Ben. J. Webb,
Joseph H. Chandler,	D. Y. Lyttle,	W. J. Worthington—12.

Those who voted in the negative, were—

Jos. M. Alexander,	A. H. Field,	I. T. Martin,
F. M. Allison,	Joseph Gardner,	W. H. Payne,
A. K. Bradley,	Evan M. Garriott,	I. A. Spalding,
Tho. P. Cardwell,	G. A. C. Holt,	W. L. Vories,
A. D. Cosby,	O. P. Johnson,	I. C. Winfrey—15.

The question was then taken on the adoption of the amendment proposed by Mr. Bruner, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	P. H. Leslie,	Philip Swigert,
Robert Boyd,	W. Lindsay,	Ben. J. Webb,
John B. Bruner,	D. Y. Lyttle,	I. C. Winfrey,
Lyttleton Cooke,	E. D. Standeford,	W. J. Worthington—12.

Those who voted in the negative, were—

Jos. M. Alexander,	A. H. Field,	I. T. Martin,
F. M. Allison,	Joseph Gardner,	John W. F. Parker,
A. K. Bradley,	Evan M. Garriott,	W. H. Payne,
Tho. P. Cardwell,	G. A. C. Holt,	I. A. Spalding,
Jos. H. Chandler,	O. P. Johnson,	W. L. Vories—16.
A. D. Cosby,		

Mr. Cooke then moved to amend the bill so as to limit the operations of the privileges granted to the property he now owns.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Evan M. Garriott,	W. H. Payne,
A. K. Bradley,	G. A. C. Holt,	I. A. Spalding,
Tho. P. Cardwell,	O. P. Johnson,	W. L. Vories,
A. D. Cosby,	D. Y. Lyttle,	I. C. Winfrey—14.
A. H. Field,	I. T. Martin,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
Robert Boyd,	P. H. Leslie,	Ben. J. Webb,
John B. Bruner,	W. Lindsay,	W. J. Worthington—14.
Jos. H. Chandler,	John W. F. Parker,	

So said bill was rejected.

Mr. Allison then moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was only entered.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Field, from the Committee on Circuit Courts—

An act to repeal the court of common pleas in Calloway county, in the 1st judicial district.

By Mr. Lindsay, from the Committee on County Courts—

An act to regulate and create the office of treasurer for Carroll county.

By same—

An act authorizing the county court of Fayette county to subscribe stock in turnpike roads.

By Mr. Webb, from the Committee on Education—

An act to charter the Marion School Association, in Crittenden county.

By Mr. Martin, from the Committee on Religion—

An act to incorporate Ashland Cumberland Presbyterian Church, in Crittenden county.

By same—

An act to incorporate Christ Episcopal Church, at Bowling Green.

By Mr. Bradley, from the Committee on Revised Statutes—

An act to incorporate the Odd Fellows' Temple Association.

By same—

An act to incorporate Confidence Lodge, No. 204, of the Independent Order of Good Templars, of Augusta.

By Mr. Holt, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the Paducah, Benton, and Murray Gravel Road Company."

By Mr. Bradley, from the Committee on Revised Statutes—

An act to amend an act, entitled "An act to protect graves and graveyards," approved March 9, 1854.

With amendments to the last two named bills.

Which were concurred in.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr Cooke, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Falls City German Mutual Fire Insurance Company, in Louisville,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

Mr. Field, from the Committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the taking of depositions in certain cases in the Washington circuit court,

Reported the same, with an amendment as a substitute for said bill.

Mr. Alexander moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Field, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	I. T. Martin,
Robert Boyd,	G. A. C. Holt,	I. A. Spalding,
A. K Bradley,	O. P. Johnson,	Philip Swigert,
Tho. P. Cardwell,	W. Lindsay,	I. C. Winfrey—12.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	E. D. Standeford,
F. M. Allison,	Evan M. Garriott,	W. L. Vories,
John B. Bruner,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	D. Y. Lyttle,	W. J. Worthington—14.
A. D. Cosby,	W. H. Payne,	

Ordered, That said bill and proposed amendment be printed and placed in the orders of the day.

Mr. Payne moved to reconsider the vote by which the Senate on yesterday rejected a bill to regulate the fees of circuit court clerks in certain cases.

Which motion was only entered.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the concurrence of the Senate in an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Lexington and Big Sandy railroad company, west.

After a short time, said bill was handed in at the Clerk's desk.

The Senate took up for consideration a bill to amend an act, entitled "An act to incorporate the Male and Female Institute of Calloway County," approved February 24, 1849,

Together with the amendment heretofore moved by Mr. Bruner.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever, by death, resignation, or other cause, a vacancy of one or more of the members of the board of trustees shall happen, that the county court of said county shall have power to fill the same by appointment of some resident citizen of Calloway county: *Provided, however*, That the board of trustees, when composed of as many as three trustees legally authorized to act, may have this power.

§ 2. The board of trustees shall have power to sell or exchange any books, maps, charts, chemical, mechanical, or philosophical apparatus belonging to said institute, and which may, from any reason, be unfit for use; but the proceeds thereof shall be applied for the benefit of said academy in any way that said board may deem right and proper.

§ 3. The board of trustees are hereby empowered to confer the degrees of bachelor of arts and master of arts upon all students of said institute who may have attained a suitable degree of proficiency in the arts and sciences, and who shall have passed the proper examination.

§ 4. Said board of trustees may select and appoint such professors, teachers, or other officers or agents as, in their judgment, the interests of the institute may require; and may establish such professorships and chairs therein as they may deem proper, and fix the terms and rates of tuition, the course of study, and the salaries and compensation of all officers, agents, teachers, professors, and employees, and may prescribe the duties of each; and, for good cause, sustained by written charges and proof, may suspend or expel any such officer, professor, teacher, or agent of said institute.

§ 5. The board of trustees may issue and sell scholarships and life memberships in said institution, upon such terms and at such rates as

they may think proper, which shall be transferable in writing; and the person or persons to whom it may be transferred shall be entitled to the same privileges as the original holder.

§ 6. Said board of trustees shall have power to purchase or receive in any lawful way any real or personal estate, and to erect or establish suitable boarding-houses for the students, teachers, or employees, or other necessary houses or buildings of any kind.

§ 7. That section fourteen of the act to which this is an amendment is hereby repealed.

§ 8. It shall be the duty of the said managers, within ninety days after the drawing of said lottery, or any class thereof, to pay or cause to be paid to the fortunate person or persons holding a ticket or tickets thereof all such prize or prizes as may be drawn by any individual or company of individuals, according to the scheme which said managers may agree on and publish. Said managers shall have power to appoint any agents or clerks or employees that they shall deem proper, and prescribe their duties; but said clerks and employees shall, before entering on their duties, take an oath before some magistrate to faithfully and honestly discharge the same.

§ 9. That said managers shall be, and are hereby, authorized to sell and dispose of the scheme, or any of the classes or any class of said lottery, or to lease or underlet the same, and the powers and rights thereto belonging, to any person or persons who shall enter into bond, with good security, to the Commonwealth of Kentucky for the payment of the purchase or lease price thereof; and said bond shall be filed in the county court clerk's office of Calloway county before said lottery, or any class thereof, shall be drawn.

§ 10. Said managers shall have the right to open offices for the sale of tickets or the distribution of prizes at any time.

§ 11. The justices of each magistrates' district in the county of Calloway shall have the right to nominate two students, either male or female, from their respective districts to said institute each year, for which as much as two thousand and five hundred dollars shall have been realized to said institute from the lottery privileges herein granted; said students shall be entitled to receive the full benefits of the institute, free of charge.

§ 12. It shall be the duty of the county attorney for said county to institute suit against or prosecute any person who shall fail or refuse to apply any of the moneys arising under this act to the purposes intended by this act.

§ 13. Article twenty-one of chapter twenty-eight, Revised Statutes, is, so far as the provisions of this act are concerned, repealed.

§ 14. This act is to take effect from its passage.

The amendment proposed by Mr. Bruner reads as follows, viz:

Provided, That nothing contained in this act shall be so construed as to authorize the exercise of any lottery privileges under any of its provisions, or in any manner whatever to dispose of any property or other thing of value by chance.

The question was then taken on the adoption of the amendment proposed by Mr. Bruner, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holt and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	J. W. F. Parker,
John B. Bruner,	O. P. Johnson,	E. D. Standeford,
Tho. P. Cardwell,	P. H. Leslie,	Ben. J. Webb,
Jos. H. Chandler,	W. Lindsay,	W. J. Worthington—14.
Lyttleton Cooke,	D. Y. Lyttle,	

Those who voted in the negative, were—

Jos. M. Alexander,	Evan M. Garriott,	I. A. Spalding,
F. M. Allison,	G. A. C. Holt,	Philip Swigert,
A. K. Bradley,	I. T. Martin,	W. L. Vories,
Joseph Gardner,	W. H. Payne,	I. C. Winfrey—12.

Mr. Holt then moved to amend said bill by reinstating in the bill a section, with some slight change, similar to that which had before been stricken out, which section conferred lottery privileges.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Joseph M. Alexander,	G. A. C. Holt,	I. A. Spalding,
A. K. Bradley,	D. Y. Lyttle,	Philip Swigert,
Joseph Gardner,	I. T. Martin,	W. L. Vories—11.
Evan M. Garriott,	W. H. Payne,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	O. P. Johnson,	E. D. Standeford,
F. M. Allison,	P. H. Leslie,	Ben. J. Webb,
John B. Bruner,	W. Lindsay,	I. C. Winfrey,
Tho. P. Cardwell,	John W. F. Parker,	W. J. Worthington—13.
Jos. H. Chandler,		

Mr. Holt then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the following bills, viz:

1. A bill providing for the rebuilding of the offices of the penitentiary.

2. A bill to amend chapter 53, Revised Statutes, title "Interest and Usury."

3. A bill to amend article 4 of chapter 3, Civil Code of Practice.

4. A bill to amend title 5, Civil Code of Practice.

5. A bill to establish a conventional rate of interest.

Ordered, That the 1st be made the special order of the day for Friday next; that the 2d and 5th be placed in the orders of the day, and that the 3d and 4th be made the special order of the day for Saturday next.

Leave was given to bring in the following bills, viz:

On motion of Mr. Holt—

1. A bill for the benefit of F. C. Trice.

On motion of same—

2. A bill to amend the charter of the town of New Concord, in Calloway county.

On motion of Mr. Spalding—

3. A bill to protect livery stable-keepers in this Commonwealth.

On motion of same—

4. A bill to amend the town charter of Dixon.

On motion of same—

5. A bill in relation to certain town lots in Morganfield.

On motion of same—

6. A bill to amend the charter of the Shawneetown and Madisonville railroad company.

On motion of Mr. Vories—

7. A bill making the Constitutionalist, of Henry county, an authorized newspaper in this Commonwealth.

On motion of Mr. Cosby—

8. A bill to amend an act, entitled "An act to provide for auditing and paying military claims."

On motion of Mr. Speaker (Johnson)—

9. A bill to amend section 4, article 4, chapter 28, of the Revised Statutes.

On motion of Mr. Winfrey—

10. A bill to repeal section 2 of an act to charter the Columbia and Burksville turnpike road company.

On motion of Mr. Martin—

11. A bill to charter the Cynthiana Malt and Brewing Company.

On motion of same—

12. A bill giving relief to Robertson county.

Ordered, That the Committee on Finance prepare and bring in the 1st and 12th; the Committee on the Judiciary the 2d, 3d, 5th, 9th, and 11th; the Committee on Internal Improvement the 4th, 6th, and 10th; the Committee on County Courts the 7th, and the Committee on Military Affairs the 8th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the town of Mt. Carmel, in Fleming county;

An act for the benefit of James H. Hall, late sheriff of Powell county;

An act for the benefit of the sureties of J. H. Butler, late sheriff of Allen county;

An act to carry into effect certain surveys made by Robert P. Davis, deceased, late surveyor of Breathitt county;

An act for the benefit of Harriet N. Robinson, of Taylor county;

An act for the benefit of A. J. Landsdown;

An act for the benefit of Leslie Johnson, late sheriff of Letcher county;

An act to provide expenses to the Governor when absent from the Seat of Government on business of the State;

An act for the benefit of James Archie Davis, a pauper idiot;

An act for the benefit of Mrs. Pamelia M. Waggoner;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Thomas G. Slater;

An act declaring the Woodford Weekly, a paper published at Versailles, Kentucky, an authorized newspaper in this Commonwealth;

An act to incorporate Horton Division, No. 8, Sons of Temperance;

An act to repeal an act, entitled "An act to incorporate the Stony Point Academy Boarding House," approved February 5, 1866;

An act for the benefit of school district No. 18, in Casey county;

An act for the benefit of Allen Walker, a justice of the peace in Crittenden county;

An act for the benefit of James N. Frazer, of Harrison county;

An act to establish a chancery term of the Washington circuit court, and for the trial of motions not requiring a jury;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, FEBRUARY 11, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to protect small birds and game in Lewis county.

An act to incorporate the Farmers' and Drovers' Bank.

With amendments to said bills.

A message was sent to the House of Representatives, announcing that the Senate adheres to their disagreement to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Lexington and Big Sandy railroad company, west.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bank Lick turnpike road company.

An act authorizing the trustees of the town of Madisonville to sell certain burying-grounds in said town.

An act for the benefit of Harriett N. Robinson.

An act for the benefit of the town of Mt. Carmel, in Fleming county.

An act for the benefit of Mrs. Pamelia M. Waggoner.

An act for the benefit of James H. Hall, late sheriff of Powell county.

An act for the benefit of the sureties of J. H. Butler, late sheriff of Allen county.

An act for the benefit of Leslie Johnson, late sheriff of Letcher county.

An act to provide expenses to the Governor when absent from the Seat of Government.

An act for the benefit of A. J. Landsdown.

An act to carry into effect certain surveys made by Robert Davis, late surveyor of Breathitt county.

A message was received from the House of Representatives, announcing their adherence to a proposed amendment to a bill from the Senate, entitled

An act to amend the charter of the Lexington and Big Sandy railroad company, west,

And that, on their part, they had appointed a committee of conference, to act in conjunction with a similar committee to be appointed on the part of the Senate, to take into consideration the disagreement between the two Houses in relation to said bill.

Whereupon, Messrs. Cooke, Thompson, and Holt were appointed said committee on the part of the Senate.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Vories, from the Committee on Agriculture and Manufactures—

1. A bill to amend and reduce into one the several acts in relation to the importation and sale of Texas cattle in this Commonwealth.

By Mr. Field, from the Committee on Circuit Courts—

2. A bill to promote the public business in the Auditor's Office.

By Mr. Webb, from the Committee on Education—

3. A bill to incorporate the Saint Louis Bertrand Society, of Louisville.

By Mr. Leslie, from the Committee on Finance—

4. A bill to fix the corporate boundary of Cave City, in Barren county.

By same—

5. A bill for the benefit of James W. Linden, sheriff of Breathitt county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was referred to the Committee on the Judiciary, and the 1st, 3d, 4th, and 5th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill for the benefit of James H. Ward, sheriff of Johnson county,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Field, from the Committee on Circuit Courts—

1. An act to require the county clerk of Meade county to have certain books rebound.

By Mr. Leslie, from the Committee on Finance—

2. An act to charter the Rio Bridge Company, in Hart county.

By same—

3. An act for the benefit of Thos. B. Vinson, of Grayson county.

By same—

4. An act for the benefit of John L. Slavin, sheriff of Garrard county.

Ordered, That the 2d be placed in the orders of the day, and that the 1st, 3d, and 4th be read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of David W. Hogan;

An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties;

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties;

An act for the benefit of John H. Allison and sureties;

An act for the benefit of John C. Howard, late sheriff of Harlan county;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of G. S. Jones, late sheriff of Marshall county,

Reported the same, with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be placed in the orders of the day.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lyttle—

1. A bill for the benefit of Leonard Farmer, of Harlan county.

On motion of same—

2. A bill for the benefit of the colored people.

On motion of Mr. Swigert—

3. A bill for the benefit of school district No. 15, in Franklin county.

On motion of Mr. Bradley—

4. A bill for the benefit of J. M. and Cyrus Carlisle.

On motion of Mr. Allison—

5. A bill to charter the Wood-house Company.

On motion of Mr. Speaker (Johnson)—

6. A bill for the benefit of the county court of Spencer county.

Ordered, That the Committee on Military Affairs prepare and bring in the 1st; the Committee on Finance the 2d and 4th; the Committee on Education the 3d; the Committee on the Judiciary the 5th, and the Committee on County Courts the 6th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the Schollsville Branch of the Winchester Red River Iron Works turnpike road company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Wm. Grisham;

An act to authorize the Boyd county court to make a road from Catlettsburg to the Lawrence county line;

An act to incorporate the Hartford Railroad and Mining Company;

An act to legalize certain acts of the Oldham county court, and to authorize the enforcement of the same;

An act to amend the charter of the Russellville District turnpike company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

The Senate took up for consideration a bill to regulate the sale of tobacco at Louisville.

Mr. Leslie moved an amendment to said bill.

Ordered, That the further consideration of said bill and proposed amendment be postponed to, and made the special order of the day for, to-morrow, at 11 o'clock, A. M.

Leave of indefinite absence was granted to Messrs. Johnson and W. J. Worthington.

And then the Senate adjourned

FRIDAY, FEBRUARY 12, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to establish a State House of Reform for Juvenile Delinquents.

That they had passed a bill from the Senate, entitled

An act for the benefit of James A. Ward, late sheriff of Johnson county.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Western Military Academy, at New Castle, Henry county.

2. An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court.

3. An act to repeal an act, entitled "An act to increase the jurisdiction of the quarterly court of Henry county in criminal and penal causes," approved 7th of March, 1868.

4. An act to amend the charter of Estill Station and Speedwell turnpike road company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Education; the 2d to the Committee on the Judiciary; the 3d to the Committee on County Courts, and the 4th to the Committee on Internal Improvement.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish the office of interpreter for the Jefferson circuit court.

An act to regulate tolls on the Lexington and Newtown turnpike road.

An act to abolish civil district No. 5, Metcalfe county.

An act for the benefit of J. C. Calhoun, sheriff of McCracken county.

An act for the benefit of Evan E. Settle.

An act for the benefit of John Boyd, late sheriff of Lyon county.

An act regulating proceedings against sheriffs, &c., in the Franklin circuit court.

An act to incorporate the Bourbon Library Association.

An act to amend the charter of the town of Elkton.

An act for the benefit of M. B. Goble, of Lawrence county.

An act for the benefit of R. H. Earnest, former sheriff of Simpson county.

An act for the benefit of Mary E. Hutton.

An act for the benefit of John W. Harrell.

An act for the benefit of the clerk of the Mercer circuit court.

An act for the benefit of James H. Reed, late sheriff of Metcalfe county.

An act for the benefit of John W. Duncan, late sheriff of Wayne county.

An act for the benefit of Albert G. Moore, of the county of Christian.

An act for the benefit of H. S. Hale, sheriff of Graves county.

An act for the benefit of the trustees of the Class of the Methodist Church, South, in Springfield.

An act conferring concurrent jurisdiction on the Fayette circuit court with that of the Lexington city court, in cases of misdemeanors.

An act to establish a chancery term of the Washington circuit court, and for the trial of motions not requiring a jury.

An act for the benefit of Allen Walker, a justice of the peace in Crittenden county.

An act to incorporate the Horton Division, No. 8, Sons of Temperance.

An act to repeal an act, entitled "An act to incorporate the Stony Point Academy Boarding House," approved February 5, 1866.

An act declaring the Woodford Weekly, a paper published at Versailles, Kentucky, an authorized newspaper in this Commonwealth.

An act for the benefit of school district No. 18, in Casey county.

An act for the benefit of James N. Frazer, of Harrison county.

An act for the benefit of Thomas G. Slater.

An act for the benefit of the representatives and heirs of Wm. J. Fields, deceased, late sheriff of Carter county, and his sureties.

Mr. Dudley presented the petition of sundry citizens of the city of Lexington, in relation to the slop discharged from the distilleries.

Which was received, the reading dispensed with, and referred to the Committee on Agriculture and Manufactures.

The committee of conference of the two Houses, who had been appointed to take into consideration the disagreement between the two Houses in relation to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Lexington and Big Sandy railroad company, west,

Reported that the committee had agreed to report said bill, with an amendment as a substitute therefor.

Which was, by the Senate, concurred in.

Ordered, That the title of said bill be amended to read,

An act to incorporate the Lexington and Virginia railroad company.

Leave of indefinite absence was granted to Mr. Payne.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Elijah Litton, late sheriff of Whitley county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It appears, from satisfactory evidence, that Elijah Litton, late sheriff of Whitley county, was charged with a delinquent list sent him by the Auditor of Public Accounts, in the year 1866, and said Litton having paid the amount thereof into the Treasury, the delinquent list so sent having been properly returned to the Auditor not collected; wherefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer for one hundred and sixty-five dollars and ninety cents, in favor of Elijah Litton, late sheriff of Whitley county, being the amount improperly collected off of him.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	John W. F. Parker,
Jos. M. Alexander,	A. H. Field,	W. H. Payne,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
Robert Boyd,	Evan M. Garriott,	E. D. Standeford,
A. K Bradley,	G. A. C. Holt,	H. Thompson,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Tho. P. Cardwell,	W. Lindsay,	Ben. J. Webb,
John G. Carlisle,	I. T. Martin,	I. C. Winfrey—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of W. A. Ronald, late sheriff of Jefferson county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Leslie, from the same committee, to whom had been recommitted a bill from the House of Representatives, entitled

An act to amend section 3, article 6, of chapter 16, of the Revised Statutes,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	I. A. Spalding,
Joseph M. Alexander,	Joseph Gardner,	E. D. Standeford,
A. K. Bradley,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	G. A. C. Holt,	H. Thompson,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb—20.
Wm. A. Dudley,	W. H. Payne,	

Those who voted in the negative, were—

F. M. Allison,	Jos. H. Chandler,	I. C. Winfrey,
Robert Boyd,	W. Lindsay,	W. J. Worthington—8.
Tho. P. Cardwell,	John W. F. Parker,	

Resolved, That the title of said bill be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Leslie, from the Committee on Finance—

1. A bill for the benefit of William Wilson, late sheriff of Union county.

By Mr. Vallandingham, from the Committee on Geological Survey—

2. A bill to re-enact an act to provide for a Geological and Mineralogical Survey of the State, approved 6th March, 1854.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 2d was placed in the orders of the day, and the 1st was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had rejected a bill, entitled

A bill granting lottery privileges to J. R. Golladay.

[*For bill—see this Journal, page* 275.]

And the question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. D. Cosby,	W. H. Payne,
F. M. Allison,	A. H. Field,	I. A. Spalding,
A. K. Bradley,	Evan M. Garriott,	H. Thompson,
Tho. P. Cardwell,	G. A. C. Holt,	A. C. Vallandingham,
John G. Carlisle,	I. T. Martin,	I. C. Winfrey—15.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
Lyttleton Cooke,	J. W. F. Parker,	W. J. Worthington—15.

So said bill was again rejected.

Mr. Gardner moved to reconsider the votes by which the Senate on yesterday disagreed to bills from the House of Representatives, of the following titles, viz:

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties.

An act for the benefit of John H. Allison and sureties.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bills be recommitted to the Committee on Finance.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate, of the following titles, viz:

An act for the benefit of the sureties of Wm. Herrin, late sheriff of Fulton county.

An act for the benefit of W. M. Rhea.

Which were concurred in.

The Senate took up for consideration a bill to regulate the sale of tobacco at Louisville,

Together with the amendment heretofore proposed by Mr. Leslie.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person or persons now owning, or who shall hereafter own, or have a warehouse or warehouses in the city of Louisville, for the reception, storage, or sale of tobacco, shall cause the same to be constructed so as to keep safely and securely from fire, the dampness of the earth, and from the weather, all tobacco stored therein; and such houses shall, at all times, be kept open and in good repair for receiving, storing, inspecting, selling, and delivering tobacco in hogsheads.

§ 2. That the proprietor of each warehouse shall keep a well-bound book of proper size, in which shall be entered the marks, numbers, gross, tare, and net weight of each hogshead inspected and sold, together with the owner's name, and the name of the purchaser, and the price sold for per hundred pounds, and the amount each hogshead sold for, the date when sold, and collect and pay over to the planter or seller of each hogshead the sum due him. He shall make account of sales for the planter or seller, stating the number of hogsheads, gross, tare, net price per hundred, the date, and price each hogshead comes to. He shall provide, and continually keep in his warehouse, and in good order, a pair of scales of sufficient size and strength to weigh at least one ton weight, and shall have them tested at least once every year, and oftener if necessary, by the standard weights and measures. He shall provide a sufficient number of coopers to do the coopering, and handle tobacco stored, inspected, and sold in his warehouse, and to do all things needful in receiving, storing, and selling tobacco. The said warehouse proprietor shall superintend the weighing of each hogshead of tobacco, and see that the empty cask is properly weighed, and that the proper weight, gross, tare, and numbers are marked on one of the heads of the same. They shall cause each hogshead to be uncased, and shall furnish the necessary hands to break the same. The inspectors shall then cause it to be broken in not less than three places, and oftener, should they deem it necessary; and shall draw fair samples from each hogshead of the quality thereof, and said samples shall belong to the purchaser of the hogshead.

§ 3. That the proprietor or operator of each warehouse, before he or they shall receive into such house any tobacco for the purposes aforesaid, shall enter into a covenant to the Commonwealth of Kentucky, with good security, to be approved by the mayor and city council of the city of Louisville, in the sum of ten thousand dollars, conditioned to pay over to the planter or seller the proceeds of all sales made by him for said planter or seller; and that he will, at all times, keep such house, and preserve and take such care of all tobacco received there, as this act requires, and in all things else pertaining to said warehousing act, in obedience to, and in compliance with, the law. Any person injured by a breach of said covenant may sue

thereon, and have judgment for his damages. If said covenant is not given with the security aforesaid, the warehouseman is forbidden to receive upon storage, or for inspection or sale, any tobacco whatever into his said house; and if he does so, shall be fined in any sum not less than one thousand dollars, upon the indictment of a grand jury. No storage shall be charged upon any hogshead of tobacco for the first six months it lies in the warehouse; but if it remains there beyond that time, a fee of twenty cents per month thereafter may be charged on each hogshead as storage. They shall not, however, store, or be required to store, in their warehouses, to such an extent as to impede the selling or delivery of tobacco.

§ 4. That the Governor of this Commonwealth shall, on the first day of March of each year, appoint four fit and competent persons for the inspection of tobacco in the tobacco warehouses in the city of Louisville, and four competent persons for the weighing of tobacco at the said warehouses in the city of Louisville. Each of said inspectors and weighers shall hold his office one year, but may be removed at any time by the Governor. Each of said inspectors and weighers shall, before he enters upon the duties of his office, take an oath and subscribe thereto, in writing, before the clerk of the Jefferson county court, that he will honestly and faithfully, clear of the influences of favor, affection, partiality, or prejudice, execute and perform all the duties required of him by the laws of the State, as such inspector or weigher; and that he will not, directly or indirectly, during his continuance in his office, buy, sell, or in any way be interested in the purchase or sale of any tobacco sold at, or to be brought to and sold at, any of said warehouses, or that has been there and sold; and shall also execute a bond before said clerk, with good security, to be approved by the clerk, in the sum of five thousand dollars, conditioned for the faithful and full performance of all his duties under the law, as such inspector or weigher; and for any injury sustained by any one on account of a breach of any of the conditions of said bond, an action shall lie, and a recovery be had thereon in his favor in any of the circuit courts of this Commonweath.

§ 5. That it shall be the duty of said inspectors, two at least of them being together, to draw from each and every hogshead of tobacco brought into and offered at public sale in any of said houses, fair samples of the same; and, after said samples are drawn, they shall tie each sample securely and neatly, so as to designate in order the breaks from which said sample was drawn. After thus tying the sample with suitable twine, and placing thereon a card with printed name of the warehouse, and the number of the hogshead, the cards, wax, and twine to be furnished by the proprietor of the warehouse, they shall seal and stamp said sample with sealing-wax, a suitable seal to be furnished by said inspectors; and said inspectors shall alternate daily in the duties of sampling, tying, and sealing.

§ 6. That it shall be the duty of said weighers to attend daily, at such time as the proprietors of said warehouses may designate, and weigh all tobacco offered for sale, deducting ten pounds, and no more, for sample and waste, and, after such deduction, mark the gross weight distinctly on one head of the hogshead. After the tobacco is

placed in the break and stripped, they shall take the tare weight of each cask, and mark the same distinctly on the side. After the sale they shall personally attend the coopering of the tobacco, and see to it that all the tobacco properly belonging to each hogshead of tobacco is placed therein, and that the same is well coopered; and it shall be the duty of the proprietors of each warehouse to furnish all the best appliances known for the screwing down and securing tobacco in the cask, and all necessary facilities for coopering; and upon their failure to do so, after reasonable notice, it shall be the duty of said weighers to furnish the same at the expense of the proprietors of the warehouse failing to comply. The said weighers shall alternate daily between each of said warehouses, and perform their various duties aforesaid at such hours as the proprietors of said houses may designate. After each hogshead of tobacco has been sold and properly re-coopered, it shall again be correctly weighed by the same weigher, and this weight also distinctly marked on the head of the hogshead, using some mark to distinguish the first and second weighings. The proprietor of the warehouse shall settle with the seller according to the first weight, and with the purchaser according to the second weight, deducting the proper tare in each instance. No owner of tobacco, when the same is cried off at auction in any of said houses, shall be compelled to abide the sale, but shall have the right, at the time it is cried off, to accept it as a sale or reject it. If he rejects the sale, however, he will be bound for the fees and charges as if the sale was accepted; and a lien is hereby given to the proprietors of the warehouse, and the inspectors and weighers, on all tobacco and proceeds, for their fees and charges on the same.

§ 7. That said proprietors of said warehouses shall be allowed to charge, collect, and receive, as compensation for receiving, storing, and selling said tobacco, and receiving and paying over the proceeds to the owner, three dollars and fifty cents on each hogshead, and no more, one half to be paid by the seller, and the other half by the purchaser; and said inspectors and weighers shall be entitled to receive, for each hogshead of tobacco inspected and weighed, forty cents, and no more, which shall be equally divided between them, one half to be paid by the seller, and one half by the purchaser.

§ 8. That the duties fixed and imposed by this act upon said inspectors and weighers of tobacco shall be performed by them in person; and any inspector or weigher of tobacco who shall fail to be present in person, and attend to and perform the duties assigned him under this act, for more than one day at a time, except in case of sickness with himself or family, shall be subject to removal from his said office.

§ 9. That it shall not be lawful for any proprietor of any one of said warehouses, or any one who has any interest therein whatever, directly or indirectly, or either of said inspectors or weighers, to buy or sell any tobacco brought to or sold, or offered to be sold, at any of said houses, or which has been sold or offered for sale in that market, or which shall be brought there for sale; nor shall said proprietors, or any one interested in the business of either of said houses, or said inspectors or weighers, be interested as co-partners, or otherwise, with any person or persons in the sale or purchase, or in handling, in any

way, any tobacco which shall be brought to that market, or which shall be there, or which has been there; and any one violating these provisions of this act, shall be subject to indictment of the grand jury, and fined not less than one thousand dollars for each offense, one half of which shall go to the Commonwealth, and the other to the informer.

§ 10. That all laws in this State in conflict with the provisions of this act are hereby repealed; and all laws allowing any further, greater, or additional fees and charges to be made upon tobacco received, inspected, or sold at said warehouses, are hereby repealed.

§ 11. This act to take effect from its passage.

The amendment proposed by Mr. Leslie reads as follows, viz:

Provided, however, If, at any time, any of said inspectors or weighers shall be absent from said warehouses when tobacco is to be inspected or weighed, it shall be the duty of the warehouseman to appoint an alternate to do such inspection or weighing during such absence; and the alternate so appointed and doing the work shall receive and be entitled to the fees for such inspection and weighing, and it shall be paid to him instead of the regular inspector or weigher; and the said regular weighers and inspectors shall not receive any fees or compensation upon any hogshead of tobacco except those actually inspected and weighed by them; but before such alternate, appointed as aforesaid, shall proceed to the duties of inspection or weighing, he shall take and subscribe the same oath required of the regular inspectors and weighers, which shall be filed in the clerk's office aforesaid; and for a violation of that oath by him, or for a violation of the oath aforesaid of any inspector or weigher, he or they will be subject to all the pains and penalties denounced against perjury and false swearing.

The question was then taken on the adoption of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	Jno. W. F. Parker,
F. M. Allison,	A. D. Cosby,	I. A. Spalding,
Robert Boyd,	A. H. Field,	Philip Swigert,
John B. Bruner,	Joseph Gardner,	W. L. Vories,
Tho. P. Cardwell,	G. A. C. Holt,	I. C. Winfrey,
Joseph H. Chandler,	P. H. Leslie,	W. J. Worthington—18.

Those who voted in the negative, were—

Jos. M. Alexander,	Evan M. Garriott,	Harrison Thompson,
A. K. Bradley,	W. Lindsay,	A. C. Vallandingham,
John G. Carlisle,	I. T. Martin,	Ben. J. Webb—11.
Wm. A. Dudley,	E. D. Standeford,	

Mr. Lindsay then proposed to amend the bill as follows, viz:

Strike out all after the enacting clause and insert—

§ 1. That the proprietors of the tobacco warehouses in the city of Louisville shall be allowed to collect and receive as compensation for

receiving, storing, coopering, and selling each hogshead of tobacco, the sum of twenty-two and one half cents on each one hundred pounds of tobacco therein contained up to fifteen hundred pounds, and ten cents on each one hundred pounds exceeding such amount, one half to be paid by the seller, and one half by the buyer; and for collecting and paying over the proceeds of tobacco, said proprietors may charge not exceeding one per cent. on the amount so collected and paid over.

§ 2. That in case either of the inspectors or weighers of tobacco in said city shall fail to discharge the duties imposed upon him by law, except when prevented by the sickness of himself or family, he shall forfeit his right to the fees allowed by law during the time he is so absent; and in case either of such inspectors or weighers shall, without such reason, fail for five days in any one month to discharge his said duties, he may be fined ten dollars for each day he so fails, to be enforced by proceedings under indictment in the Jefferson circuit court, and shall be liable on his bond to the seller or buyer of tobacco, or to the warehouseman for any damages they, or either of them, may sustain by reason of his said failure.

§ 3. This act shall take effect from its passage.

Mr. Cooke then moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Lyttleton Cooke,	E. D. Standeford,
A. K. Bradley,	Wm. A. Dudley,	H. Thompson,
John G. Carlisle,	I. T. Martin,	Ben. J. Webb—9.

Those who voted in the negative, were—

Mr. Speaker (Johnson),	A. H. Field,	I. A. Spalding,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
Robert Boyd,	Evan M. Garriott,	A. C. Vallandingham,
John B. Bruner,	G. A. C. Holt,	W. L. Vories,
Tho P. Cardwell,	P. H. Leslie,	I. C. Winfrey,
Jos. H. Chandler,	W. Lindsay,	W. J. Worthington—20.
A. D. Cosby,	John W. F. Parker,	

Mr. Carlisle moved to postpone the further consideration of said bill and proposed amendment until to-morrow, at 10½ o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Field and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	I. T. Martin,
Jos. M. Alexander,	Wm. A. Dudley,	E. D. Standeford,

A. K. Bradley,	Joseph Gardner,	H. Thompson,
Tho. P. Cardwell,	Evan M. Garriott,	Ben. J. Webb,
John G. Carlisle,	W. Lindsay,	W. J. Worthington—15.

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	Philip Swigert,
Robert Boyd,	G. A. C. Holt,	A. C. Vallandingham,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	J. W. F. Parker,	I. C. Winfrey—14.
A. D. Cosby,	I. A. Spalding,	

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways;"

An act to incorporate the Cloverport and Panther Creek turnpike road company;

An act to incorporate the Burlington and Hebron turnpike road company;

An act making the amended road law, approved February 17th, 1866, apply to Breckinridge county;

An act to change the place of voting in district No. 5, in McCracken county;

An act for the benefit of Julia Owens, widow of Samuel W. Owens, former clerk of the Mason circuit court;

An act authorizing the county court of Fayette county to subscribe stock in turnpike roads;

An act to prevent prize-fighting and training for prize-fighting in this Commonwealth;

An act for the benefit of Montgomery Howard, jr.;

An act to change the time of holding the Marion quarterly court;

An act for the benefit of the Ryder Cemetery Company;

An act to amend an act to increase the jurisdiction of quarterly courts and courts of justices of the peace in Whitley county," approved February 15, 1864;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned

receiving, storing, coopering, and selling each hogshead of tobacco, the sum of twenty-two and one half cents on each one hundred pounds of tobacco therein contained up to fifteen hundred pounds, and ten cents on each one hundred pounds exceeding such amount, one half to be paid by the seller, and one half by the buyer; and for collecting and paying over the proceeds of tobacco, said proprietors may charge not exceeding one per cent. on the amount so collected and paid over.

§ 2. That in case either of the inspectors or weighers of tobacco in said city shall fail to discharge the duties imposed upon him by law, except when prevented by the sickness of himself or family, he shall forfeit his right to the fees allowed by law during the time he is so absent; and in case either of such inspectors or weighers shall, without such reason, fail for five days in any one month to discharge his said duties, he may be fined ten dollars for each day he so fails, to be enforced by proceedings under indictment in the Jefferson circuit court, and shall be liable on his bond to the seller or buyer of tobacco, or to the warehouseman for any damages they, or either of them, may sustain by reason of his said failure.

§ 3. This act shall take effect from its passage.

Mr. Cooke then moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Lyttleton Cooke,	E. D. Standeford,
A. K. Bradley,	Wm. A. Dudley,	H. Thompson,
John G. Carlisle,	I. T. Martin,	Ben. J. Webb—9.

Those who voted in the negative, were—

Mr. Speaker (Johnson),	A. H. Field,	I. A. Spalding,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
Robert Boyd,	Evan M. Garriott,	A. C. Vallandingham,
John B. Bruner,	G. A. C. Holt,	W. L. Vories,
Tho P. Cardwell,	P. H. Leslie,	I. C. Winfrey,
Jos. H. Chandler,	W. Lindsay,	W. J. Worthington—20.
A. D. Cosby,	John W. F. Parker,	

Mr. Carlisle moved to postpone the further consideration of said bill and proposed amendment until to-morrow, at 10½ o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Field and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	I. T. Martin,
Jos. M. Alexander,	Wm. A. Dudley,	E. D. Standeford,

A. K. Bradley,	Joseph Gardner,	H. Thompson,
Tho. P. Cardwell,	Evan M. Garriott,	Ben. J. Webb,
John G. Carlisle,	W. Lindsay,	W. J. Worthington—15.

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	Philip Swigert,
Robert Boyd,	G. A. C. Holt,	A. C. Vallandingham,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	J. W. F. Parker,	I. C. Winfrey—14.
A. D. Cosby,	I. A. Spalding,	

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways;"

An act to incorporate the Cloverport and Panther Creek turnpike road company;

An act to incorporate the Burlington and Hebron turnpike road company;

An act making the amended road law, approved February 17th, 1866, apply to Breckinridge county;

An act to change the place of voting in district No. 5, in McCracken county;

An act for the benefit of Julia Owens, widow of Samuel W. Owens, former clerk of the Mason circuit court;

An act authorizing the county court of Fayette county to subscribe stock in turnpike roads;

An act to prevent prize-fighting and training for prize-fighting in this Commonwealth;

An act for the benefit of Montgomery Howard, jr.;

An act to change the time of holding the Marion quarterly court;

An act for the benefit of the Ryder Cemetery Company;

An act to amend an act to increase the jurisdiction of quarterly courts and courts of justices of the peace in Whitley county," approved February 15, 1864;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned

LIST OF SENATORS AND OFFICERS,

Showing County, District represented, Occupation, Post-office address, and place of Boarding in Frankfort.

Name.	County.	Senatorial District.	Occupation.	Post-office Address.	Place of Boarding.
William Johnson, Speaker	Nelson	14th	Lawyer and Farmer	Bardstown	Capital Hotel, No. 14.
Joseph M. Alexander	Fleming	30th	Lawyer	Flemingsburg	Miss Cammack's, No. 7.
F. M. Allison	Muhlenburg	6th	Lawyer	Greenville	Southern Hotel.
R. T. Baker	Campbell	25th	Lawyer	Independence	Capital Hotel.
Robert Boyd	Laurel	28th	Lawyer	London	Mrs. Garrard's.
A. K. Bradley	Hopkins	4th	Lawyer	Madisonville	Mr. Alley's.
John B. Bruner	Breckinridge	9th	Lawyer	Hardinsburg	Capital Hotel, No. 50.
Thos. P. Cardwell	Breathitt	34th	Farmer	Jackson	Mrs. Garrard's.
John G. Carlisle	Kenton	24th	Lawyer	Covington	Capital Hotel, No. 4.
Joseph H. Chandler	Taylor	15th	Merchant and Farmer	Campbellsville	Miss Cammack's, No. 3.
John B. Clarke	Bracken	26th	Lawyer	Brooksville	Capital Hotel, No. 51.
Lyttleton Cooke	Jefferson	36th	Lawyer	Louisville	Capital Hotel.
A. D. Cosby	McLean	8th	Physician	Calhoon	Mrs. Taylor's, No. 7.
Wm. A. Dudley	Fayette	27th	Lawyer	Lexington	Gen. Peter Dudley's.
A. H. Field	Bullitt	10th	Lawyer	Shepherdsville	Capital Hotel, No. 78.
Joseph Gardner	Magoffin	34th	Farmer	Salyersville	M. H. P. Williams'.
Evan M. Garriott	Trimble	21st	Farmer	Bedford	Mrs. Welch's.
W. C. Halbert	Lewis	31st	Farmer and Lawyer	Vanceburg	Mrs. Evans'.
G. A. C. Holt	Calloway	3d	Lawyer	Murray	Mrs. Welch's.
O. P. Johnson	But'er	8th	Farmer	Readyville	Southern Hotel, No. 7.
P. H. Leslie	Barren	11th	Lawyer	Glasgow	M. B. Chinn's.
Henry C. Lilly	Estill	29th	Lawyer	Irvine	Mrs. Garrard's.
W. Lindsay	Hickman	1st	Lawyer	Clinton	S. I. M. Major's.
D. Y. Lyttle	Clay	33d	Lawyer	Manchester	Mrs. Garrard's.
I. T. Martin	Harrison	22d	Merchant	Cynthiana	Capital Hotel, No. 58.
John W. F. Parker	Pulaski	17th	Physician	Somerset	Mrs. Lewis'.
W. H. Payne	Warren	13th	Lawyer	Bowling Green	Mrs. Welch's.
I. A. Spalding	Union	5th	Farmer and Lawyer	Morganfield	Capital Hotel, No. 54.
E. D. Standeford	Jefferson	35th	Farmer		Capital Hotel, No. 54.
Philip Swigert	Franklin	20th	Banker	Frankfort	At home.
Harrison Thompson	Clark	28th	Farmer	Winchester	Capital Hotel.
Oscar Turner	Bullard	2d	Lawyer		

T. T. Martin	Harrison	22d	Merchant	Cynthiana	Capital Hotel, No. 58.
John W. F. Parker	Pulaski	17th	Physician	Somerset	Mrs. Lewis'.
W. H. Payne	Warren	13th	Lawyer	Bowling Green	Mrs. Welch's.
I. A. Spalding	Union	5th	Farmer and Lawyer	Morganfield	Capital Hotel, No. 54.
E. D. Standeford	Jefferson	35th	Farmer		Capital Hotel, No. 54.

Philip Swigert	Franklin	20th	Banker	Frankfort	At home.
Harrison Thompson	Clark	28th	Farmer	Winchester	Capital Hotel.
Oscar Turner	Ballard	2d	Lawyer	Blandville	Mrs. Wingate's.
A. C. Vallandingham	Simpson	12th	Physician	Franklin	Jos. Rodman's.
W. L. Vories	Henry	21st	Merchant	Smithfield	Judge Chinn's.
Ben. J. Webb	Jefferson	37th	Piano Manufacturer	Louisville	John Haly's.
I. C. Winfrey	Adair	16th	Farmer	Columbia	John J. Quinn's.
C. T. Worthington	Boyle	18th	Lawyer	Danville	M. B. Chinn's.
Wm. J. Worthington	Greenup	32d	Farmer	Greenupsburg	Mrs. Luckett's.
J. R. Hawkins, Clerk	Franklin		Physician	Frankfort	Mrs. Wingate's.
J. A. Munday, Assistant Clerk	Hancock		Clerk	Hawesville	Mrs. Wingate's.
H. Todd, Sergeant-at-Arms	Owen		Farmer	New Liberty	Capital Hotel.
W. P. Duvall, Door-keeper	Scott		Farmer	Stamping Ground	Capital Hotel.
Isaac Wingate, Cl'k Enrolling Com.	Franklin				Mrs. Greenup's.

SATURDAY, FEBRUARY 13, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to repeal section 3 of an act, entitled "An act to rebuild the bridges on the Bardstown and Louisville turnpike road."

An act to incorporate the Allensville turnpike road company.

An act for the benefit of Elizabeth Haden.

An act to amend the revenue laws of this Commonwealth.

An act authorizing Wm. A. Cardin, James A. Sims, and John Dawson to erect a mill-dam across the Rolling Fork of Salt river.

An act to amend an act, entitled "An act for the benefit of the Maysville and Lexington railroad company, Western Division," approved January 21, 1868.

An act incorporating the Claysville, Kentontown, and Mt. Olivet turnpike road company.

An act to incorporate the Cowan turnpike road company, in Boyle and Mercer counties.

An act to authorize the county court of Franklin county to subscribe for stock in the Kentucky River Navigation Company, to issue county bonds, and create a sinking fund to pay the same.

An act for the benefit of T. W. Samuels, late sheriff of Nelson county, and his sureties.

An act to incorporate the Shepherdsville and Mount Washington turnpike road company.

An act to amend an act, entitled "An act to incorporate the Kentucky River Navigation Company."

With amendments to the last named bill.

Which were concurred in.

That they had concurred in the report of the committee of conference of the two Houses in regard to a disagreement in relation to amendments proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Lexington and Big Sandy railroad company, west.

That they had passed bills of the following titles, viz:

1. An act to release to the town of Smithland all right and title of the State of Kentucky in and to Cumberland Hospital.

2. An act to provide books for the county of Pike.

3. An act empowering the county court of Carter county to levy a tax for the purpose of rebuilding the clerks' offices of the county and circuit courts in said county, and to build fire-proof vaults for the safe-keeping of the public records of said county.

4. An act for the benefit of P. A. Lyon.

5. An act for the benefit of Frank Hill, late sheriff of Washington county.

6. An act for the benefit of Nancy Hodge, of Hart county.

7. An act for the benefit of the trustees for the churches composing the Logan circuit of the Methodist Episcopal Church, South.

8. An act to incorporate the Two-mile turnpike road company, in Clark county.

9. An act to amend the charter of the Evansville, Henderson, and Nashville railroad company.

10. An act to amend an act, entitled "An act to incorporate the Louisville Bridge Company," approved February 19, 1861.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, 5th, and 6th to the Committee on Finance; the 7th to the Committee on Religion; the 8th and 9th to the Committee on Internal Improvement, and the 10th to the Committee on the Judiciary.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Schollsville Branch of the Winchester Red River Iron Works turnpike road company.

An act to amend the act incorporating and chartering the city of Owensboro, approved February 16, 1866.

An act for the benefit of James Archie Davis, a pauper idiot.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

Executive Department,
Frankfort, Ky., February 13, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

George Gayle, of Henderson county.
John T. Sandifer, of Henderson county.
Charles Eaves, of Henderson county.
J. M Withrow, of Franklin county.
E. S. Theobald, of Franklin county.
Q. Berry Coleman, of Ohio county.
C. M. Matthews, of Henry county.
D. B. Waggener, of Jefferson county.
T. J. Ewing, of Boyd county.
Olando C. Bowles, of Pike county.
John J. McElroy, of Washington county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Alexander, from the Committee on Internal Improvement—

1. A bill to re-enact and amend the town charter of the town of Dixon, in Webster county.

By same—

2. A bill to incorporate the Cumberland and Ohio railroad company.

By same—

3. A bill to incorporate the Louisville and Beargrass railway company.

By Mr. Carlisle, from the Committee on the Judiciary—

4. A bill in relation to certain town lots in the town of Morganfield.

By same—

5. A bill to incorporate the Cynthiana Malt and Brewing Company.

By same—

6. A bill to amend an act, entitled "An act permitting the sale of real estate at the door of the court-house in the city of Newport," approved February 6, 1858.

By same—

7. A bill for the benefit of the city of Dayton, in Campbell county.

By Mr. Chandler, from the Committee on Internal Improvement—

8. A bill to incorporate the Clarke and Montgomery turnpike road company.

By Mr. Alexander, from the same committee—

9. A bill to incorporate the Louisville Salt Well Company.

By Mr. Cooke, from the Committee on the Judiciary—

10. A bill to incorporate a board of trustees of the Bishop Fund of the Protestant Episcopal Church, in the Diocese of Kentucky.

By same—

11. A bill to provide for the advertisement of sheriff's and marshal's sales in the city of Louisville and Jefferson county.

By same—

12. A bill to incorporate the Deposit and Savings Bank of Lexington.

By same—

13. A bill to increase the compensation to the sheriff of Jefferson county for *ex-officio* services.

By Mr. Holt, from the same committee—

14. A bill to amend an act, entitled "An act to incorporate the town of New Concord, in Calloway county."

By same—

15. A bill to incorporate the Wood-house Company.

By same—

16. A bill incorporating the Kentucky Central Insurance Company.

By same—

17. A bill to amend section 4, article 4, chapter 28, of the Revised Statutes.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

18. A bill to change the location of the Wilderness State road in Laurel county.

By Mr. Bradley, from the Committee on Revised Statutes—

19. A bill to incorporate the Germania Market Company, of Louisville.

By same—

20. A bill to protect the manufacturers of mineral waters and other beverages in this Commonwealth.

By Mr. Alexander, from the Committee on Internal Improvement—

21. A bill to improve the navigation of the South Fork of Cumberland river.

By Mr. Cooke, from the Committee on Banks—

22. A bill to amend the charters and increase the rights, privileges, and powers of certain banks of this Commonwealth.

By Mr. Cooke, from a select committee—

23. A bill for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies.

By same—

24. A bill for the incorporation and regulation of Life Insurance Companies.

By same—

25. A bill to establish an Insurance Department.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 3d, 9th, and 13th were ordered to be printed, and placed in the orders of the day; the 16th, 20th, 21st, and 22d were placed in the orders of the day; the 23d, 24th, and 25th were made the special orders of the day for the 17th inst., and the 1st, 2d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 15th, 17th, 18th, and 19th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, asked to be discharged from the further consideration of a leave to them referred to bring in a bill to amend chapter 50, Revised Statutes, title "Inclosures and Certain Trespasses."

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Bradley, from the Committee on Revised Statutes—

An act providing for suit against certain persons for trespassing on the property of the State.

By Mr. Alexander, from the Committee on Internal Improvement—

An act to amend the charter of Estill Station and Speedwell turnpike road company.

By Mr. Cooke, from the Committee on the Judiciary—

An act to repeal an act, entitled "An act to increase the jurisdiction of the quarterly court of Henry county in criminal and penal causes," approved 7th of March, 1868.

By Mr. Bradley, from the Committee on Revised Statutes—

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

By same—

An act to amend an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26, 1868.

By Mr. Cooke, from the Committee on the Judiciary—

An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court.

With an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend section 1, article 2, chapter 47, of the Revised Statutes, title "Husband and Wife,"

Reported the same without amendment.

Mr. Carlisle then proposed to amend said bill.

Ordered, That said bill and proposed amendment be placed in the orders of the day.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend chapter 28, article 25, section 8, of Revised Statutes, title "Crimes and Punishments,"

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

The Senate took up for consideration the following bills, viz:

1. A bill to authorize the Auditor of Public Accounts to compromise certain demands in favor of the Commonwealth.

2. A bill to amend article 4 of chapter 3, Civil Code of Practice.

Ordered, That the 1st be made the special order of the day for the 17th inst., and the 2d for the 18th inst.

The Senate took up for consideration a bill to amend title 5, Civil Code of Practice.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration a bill to regulate the sale of tobacco at Louisville,

Together with the pending amendment proposed by Mr. Lindsay.

Mr. Leslie then moved to amend the bill as follows:

Provided, however, When any hogshead of tobacco shall be sold in any of said houses, it shall be from and after that time subject to an additional fee of fifty cents per month for whatever time it may remain in said warehouse upon storage.

Mr. Carlisle then moved to refer said bill and pending amendments to a select committee of five, with instructions that they report on Tuesday next, at 10¼ o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	E. D. Standeford,
Jos. M. Alexander,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	Evan M. Garriott,	Harrison Thompson,
Tho. P. Cardwell,	W. Lindsay,	A. C. Vallandingham,
Jno. G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb—17.
John B. Clarke,	John W. F. Parker,	

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	I. A. Spalding,
John B. Bruner,	G. A. C. Holt,	W. L. Vories,
Jos. H. Chandler,	P. H. Leslie,	I. C. Winfrey—10.
A. D. Cosby,		

Whereupon, Messrs. Chandler, Leslie, Bruner, Lindsay, and Carlisle were appointed said committee.

Leave was given to bring in the following bills, viz:

On motion of Mr. Clarke—

1. A bill amending the charter of the town of Brooksville, in Bracken county.

On motion of same—

2. A bill for the benefit of C. A. Wandelohr, late of Pendleton county.

On motion of Mr. Spalding—

3. A bill for the benefit of common school district No. 20, in McLean county.

On motion of Mr. Field—

4. A bill for the benefit of Thomas Floyd, late sheriff of Spencer county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 2d; the Committee on Education the 3d, and the Committee on Finance the 4th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act to amend section 3, article 6, of chapter 16, of the Revised Statutes;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the county court of Franklin county to subscribe for stock in the Kentucky River Navigation Company, to issue county bonds, and create a sinking fund to pay the same;

An act to repeal section 3 of an act, entitled "An act to rebuild the bridges on the Bardstown and Louisville turnpike road;"

An act authorizing Wm. A. Cardin, James A. Sims, and John Dawson to erect a mill-dam across the Rolling Fork of Salt river;

An act for the benefit of W. M. Rhea;

An act for the benefit of Elizabeth Haden;

An act to amend an act, entitled "An act for the benefit of the Maysville and Lexington railroad company, Northern Division," approved January 21, 1868;

An act to incorporate the Allensville turnpike road company;

An act to incorporate the Shepherdsville and Mount Washington turnpike road company;

An act incorporating the Claysville, Kentontown, and Mt. Olivet turnpike road company;

An act to incorporate the Cowan turnpike road company, in Boyle and Mercer counties;

An act for the benefit of T. W. Samuels, late sheriff of Nelson county, and his sureties;

An act to amend the revenue laws of this Commonwealth;

An act for the benefit of James A. Ward, late sheriff of Johnson county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Parker moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be instructed to prepare and bring in a bill abolishing all discrimination against the right to testify in the courts of this Commonwealth founded on race or color, and that said committee have leave to report at any time.

Mr. Bradley moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	John B. Clarke,	H. Thompson,
F. M. Allison,	A. H. Field,	A. C. Vallandingham,
A. K. Bradley,	Joseph Gardner,	I. C. Winfrey—10.
Jos. H. Chandler,		

Those who voted in the negative, were—

Joseph M. Alexander,	A. D. Cosby,	D. Y. Lyttle,
Robert Boyd,	Evan M. Garriott,	John W. F. Parker,
John B. Bruner,	G. A. C. Holt,	I. A. Spalding,
Tho. P. Cardwell,	P. H. Leslie,	Philip Swigert,
Lyttleton Cooke,	W. Lindsay,	Ben. J. Webb—15.

At a quarter to 1 o'clock, P. M., Mr. Vallandingham moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	P. H. Leslie,
F. M. Allison,	A. D. Cosby,	A. C. Vallandingham,
A. K. Bradley,	A. H. Field,	W. L. Vories,
John B. Clarke,	Joseph Gardner,	I. C. Winfrey—12.

Those who voted in the negative, were—

Jos. M. Alexander,	Evan M. Garriott,	I. A. Spalding,
Robert Boyd,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	W. Lindsay,	H. Thompson,
Tho. P. Cardwell,	D. Y. Lyttle,	Ben. J. Webb—14.
Joseph H. Chandler,	John W. F. Parker,	

Mr. Spalding then moved the following amendment as a substitute for the resolution introduced by Mr. Parker, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law of evidence as to permit negroes to testify in the courts of this Commonwealth in cases where negroes are parties, or where their rights are involved, and to report by bill or otherwise.

Mr. Bradley then moved to lay the original and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Field and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	A. C. Vallandingham,
F. M. Allison,	A. H. Field,	I. C. Winfrey—8.
A. K. Bradley,	Joseph Gardner,	

Those who voted in the negative, were—

Jos. M. Alexander,	A. D. Cosby,	Jno. W. F. Parker,
Robert Boyd,	Evan M. Garriott,	I. A. Spalding,
John B. Bruner,	G. A. C. Holt,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	Harrison Thompson,
Joseph H. Chandler,	W. Lindsay,	W. L. Vories,
Lyttleton Cooke,	D. Y. Lyttle,	Ben. J. Webb—18.

At ten minutes past one o'clock, P. M., Mr. Vallandingham again moved an ajournment.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	A. C. Vallandingham,
Jos. M. Alexander,	A. H. Field,	W. L. Vories,
A. K. Bradley,	Joseph Gardner,	Ben. J. Webb,
Jos. H. Chandler,	P. H. Leslie,	I. C. Winfrey—14.
John B. Clarke,	D. Y. Lyttle,	

Those who voted in the negative, were—

F. M. Allison,	Lyttleton Cooke,	John W. F. Parker,
Robert Boyd,	Evan M. Garriott,	I. A. Spalding,
John B. Bruner,	G. A. C. Holt,	Philip Swigert,
Tho. P. Cardwell,	W. Lindsay.	H. Thompson—12.

And then the Senate adjourned.

MONDAY, FEBRUARY 15, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Paducah, Benton, and Murray Gravel Road Company."

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap railroad company."

An act to incorporate the Frankfort and Flat Creek turnpike road company.

An act for the benefit of the Flemingsburg and Mount Carmel turnpike road company.

An act to incorporate the Flemingsburg and Dobynsburg turnpike road company.

An act to incorporate the Shepherdsville and Cedar Grove Church turnpike road company.

An act incorporating the Berry's Station, Raven's Creek, and Dry Ridge turnpike road company.

That they had passed bills of the following titles, viz:

1. An act to change the time of holding the quarterly court in Fleming county.

2. An act to regulate the assessment of railroad tax in McCracken county.

3. An act to amend the charter of the town of Carrollton.

4. An act to amend an act, entitled "An act to establish a police judge for the town of Carrollton."

5. An act to amend the charter of the city of Louisville.

6. An act to amend the charter of the Covington and De Courcey Creek turnpike road company.

7. An act to exempt persons from paying toll when going to and from church and funerals.

8. An act for the benefit of Madison county.

9. An act for the benefit of the Richmond and Big Hill turnpike road company.

10. An act to amend the charter of the Richmond and Burns' Mill turnpike road company.

11. An act to incorporate the Richmond, Union, and Kentucky River turnpike road company.

12. An act for the benefit of the Cincinnati, Lexington, and East Tennessee railroad company.

13. An act for the benefit of the Mt. Sterling and Owingsville turnpike road company.

14. An act for the benefit of the mechanics in Casey county.

15. An act to incorporate the Fox Run and Bullskin turnpike road, in Shelby county.

16. An act to amend the charter of the Winchester and Lexington turnpike road company.

17. An act to prevent trespass upon turnpike roads.

18. An act to amend an act approved 5th February, 1868, entitled "An act to amend an act approved 18th February, 1860, to empower the county court of Bath county to make subscription to the capital stock of turnpike roads."

19. An act to incorporate the Flemingsburg and Mouth of Fox turnpike road company.

20. An act to incorporate the Jones' Mill and Barnes' Mill turnpike road company.

21. An act to incorporate the Olympian Springs and State Bridge turnpike road company.

22. An act to repeal section 9 of an act, entitled "An act to incorporate the Mount Carmel and Fox Springs turnpike road company, and to levy a tax to aid in building said road."

23. An act to amend the charter of the Shelbyville and Louisville turnpike road company.

24. An act to amend the charter of the Dry Creek and Covington turnpike company.

25. An act to incorporate the Doyle's Lane and Wilsonville turnpike road company.

26. An act for the benefit of the Clark and Bourbon turnpike road company.

27. An act to amend the charter of the Burlington and Florence turnpike road company.

28. An act to amend an act to regulate tolls on the Lexington and Maysville turnpike road.

29. An act to amend the charter and supplement and amended charter of the Harrodsburg and Cornishville turnpike.

30. An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 8th, and 18th to the Committee on County Courts; the 2d, 3d, 4th, 5th, and 30th to the Committee on the Judiciary; the 6th, 7th, 9th, 10th, 11th, 12th, 13th, 15th, 16th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, and 29th to the Committee on Internal Improvement, and the 14th to the Committee on Propositions and Grievances.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Webb, from the Committee on Education—

A bill for the benefit of school district No. 13, in Franklin county.

By Mr. Leslie, from the Committee on Finance—

A bill for the benefit of F. C. Trice.

By same—

A bill for the relief of the securities of James Bartley, late sheriff of Monroe county.

By Mr. Garriott, from the Committee on County Courts—

A bill to repeal section 2 of an act to amend an act to charter the Columbia and Burksville turnpike road company.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to consolidate the towns of Jamestown and Brooklyn, in Campbell county, and incorporate the city of Dayton," approved March 9, 1867.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of Tho. L. Floyd, late sheriff of Spencer county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Judgment was rendered in the Franklin circuit court against Thomas L. Floyd, late sheriff of Spencer county, for the balance of the revenue due by him for the year 1867, which balance, with its interest, cost, and damages, has been collected from said Floyd under execution against him, and paid into the Treasury; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer for the sum of $518 49 in favor of the said Thos. L. Floyd, it being the damages paid by said Floyd as aforesaid, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	D. Y. Lyttle,
Jos. M. Alexander,	A. D. Cosby,	Jno. W. F. Parker,
Robert Boyd,	A. H. Field,	I. A. Spalding,
A. K. Bradley,	Joseph Gardner,	E. D. Standeford,
Tho. P. Cardwell,	Evan M. Garriott,	Philip Swigert,
John G. Carlisle,	G. A. C. Holt,	A. C. Vallandingham,
Joseph H. Chandler,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	W. Lindsay,	I. C. Winfrey—24.

In the negative—John B. Bruner.

Resolved, That the title of said bill be as aforesaid.

The Senate resumed the consideration of the following resolution offered by Mr. Parker on Saturday, the 13th inst., viz:

Resolved, That the Committee on the Judiciary be instructed to prepare and bring in a bill abolishing all discrimination against the right to testify in the courts of this Commonwealth founded on race or color, and that said committee have leave to report at any time.

Together with the following amendment proposed by Mr. Spalding as a substitute therefor, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law of evidence as to permit negroes to testify in the courts of this Commonwealth in cases where negroes are parties, or where their rights are involved, and to report by bill or otherwise.

Mr. Parker then moved to amend the amendment proposed by Mr. Spalding as follows:

Resolved, That said reform in the laws of evidence, whether found expedient by said committee or not, is, in the sense of the Senate, compatible with the idea of courts open to all causes of justice, responsive to the acknowledged claims of civil rights, and in accordance with the judicial enlightenment of the age.

Mr Field then moved to lay the original and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Field, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. D. Cosby,	I. A. Spalding,
Jos. M. Alexander,	A. H. Field,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	Philip Swigert,
Jno. G. Carlisle,	Evan M. Garriott,	Oscar Turner,
Jos. H. Chandler,	G. A. C. Holt,	A. C. Vallandingham,
John B. Clarke,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	D. Y. Lyttle,	I. C. Winfrey—21.

Those who voted in the negative, were—

Robert Boyd,	John B. Bruner,	John W. F. Parker—3.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill to promote the public business in the Auditor's Office,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Carlisle, from the same committee, to whom had been referred the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Covington and Cincinnati Bridge Company,

Reported the same, with an amendment to the amendment proposed by the House of Representatives.

Which was concurred in.

The question was then taken on concurring in the amendment proposed by the House of Representatives, as amended, and it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

1. An act applying the general mechanics' lien law to Taylor and Green counties.

By same—

2. An act to repeal so much of an act, entitled "An act to prevent the destruction of fish in Green river and other water-courses," approved February 26, 1868, as applies to the Kentucky river and its tributaries.

By Mr. Webb, from the Committee on Education—

3. An act to incorporate the Western Military Academy, at New Castle, Henry county.

By Mr. Leslie, from the Committee on Finance—

4. An act for the benefit of the Lexington, Harrodsburg, and Perryville turnpike road company.

By same—

5. An act for the benefit of Benjamin F. Jameson, former sheriff of Hart county.

By Mr. Alexander, from the Committee on Internal Improvement—

6. An act to incorporate the Two Mile turnpike road company, in Clark county.

By Mr. Turner, from the Committee on the Judiciary—

7. An act to amend the charter of the town of Lebanon, in Marion county.

By same—

8. An act to change the place of voting in district No. 7, Floyd county.

By same—

9. An act to amend still further an act, entitled "An act to incorporate the Polish House of Israel."

By same—

10. An act to amend an act, entitled "An act in relation to conveyances by commissioners," approved 31st of May, 1865.

By same—

11. An act to repeal an act for the benefit of E. J. Shipman.

By Mr. Cooke, from the same committee—

12. An act to amend an act, entitled "An act to incorporate the Louisville Bridge Company," approved February 19, 1861.

By Mr. Turner, from the same committee—

13. An act to charter the Lexington and Carter County Mining Company,

With an amendment to the last named bill.

Which was concurred in.

The 2d of said bills was laid on the table; the 3d and 4th were referred to the Committee on the Judiciary, and the 1st, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th, the last as amended, were ordered to be read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of W. S. Hicks, late sheriff of Henderson county, and his sureties,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

Whereas, A judgment was rendered in favor of the Commonwealth of Kentucky, and against William S. Hicks, late sheriff of Henderson county, and others, his sureties in his revenue bond as such sheriff, at the ——— term, 1867, of the Franklin circuit court, for the sum of $18,482 31, being the unpaid balance of the revenue from said county of Henderson for the year 1866, the whole of which judgment has been paid; and whereas, it appears from the records and papers on

file in the office of the Auditor of Public Accounts, that there was included in said judgment the sum of $2,192 (two thousand four hundred and ninety-two dollars), being the amount of the negro tax list for said county of Henderson, levied under the act of Assembly, entitled "An act for the benefit of the negroes and mulattoes in this Commonwealth," approved February 16th, 1866; and, at the January term, 1868, of the Henderson county court, the said Hicks tendered in court his negro delinquent list for the year 1866, which was examined, corrected, approved, and ordered to be filed; and whereas, it appears from the said list, as approved by said court, that said Hicks is entitled to a credit on the said negro list for the sum of $1,797 83 (seventeen hundred and ninety-seven dollars and eighty-three cents); and whereas, it further appears, that, at the ——— term, 1868, of the Franklin circuit court, a judgment was rendered against the said Hicks, as such sheriff, and others, his sureties in his revenue bond, for the sum of $20,821 35, being the unpaid balance of the revenue for Henderson county for the year 1867, and for the further sum of $4,164 27 (four thousand one hundred and sixty-four dollars and twenty-seven cents) damages; and whereas, it appears from his delinquent lists, returned to, and filed in, the Auditor's Office, after the rendition of said judgment, that upon the Auditor's list, No. 2, 1866, he is entitled to a credit of $494 24 (four hundred and ninety-four dollars and twenty-four cents), and upon the Auditor's list, No. 5, 1867, to a credit of $1,135 08 (eleven hundred and thirty-five dollars and eight cents); therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said sum of four thousand one hundred and sixty-four dollars and twenty-seven cents, being the amount of the damages in the said last mentioned judgment, be, and it is, remitted, and the said Hicks and his sureties are forever released from the payment thereof.

§ 2. That the Auditor of Public Accounts be, and he is, authorized and directed to allow the said Hicks credit on the said judgment for the sum of $494 24 (four hundred and ninety-four dollars and twenty-four cents), being the amount uncollected on the Auditor's list, No. 2, for 1866, and for the further sum of $1,135 08 (eleven hundred and thirty-five dollars and eight cents), being the amount uncollected on the Auditor's list, No. 5, for 1867; and that any balance thereof, in favor of the said Hicks, after satisfying the said judgment, be paid over to the county court of Henderson county for the benefit of the said Hicks and his sureties: *Provided*, That should it hereafter appear that any part of the amounts, herein directed to be credited, have been collected by said Hicks, then, as to such sums so collected, the credit given shall be of no effect, either as to said Hicks or his sureties.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	I. A. Spalding,
Joseph M. Alexander,	A. D. Cosby,	E. D. Standeford,
Robert Boyd,	A. H. Field,	Philip Swigert,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
Tho. P. Cardwell,	Evan M. Garriott,	A. C. Vallandingham,
John G. Carlisle,	P. H. Leslie,	Ben. J. Webb,
Jos. H. Chandler,	D. Y. Lyttle,	I. C. Winfrey—23.
John B. Clarke,	John W. F. Parker,	

Those who voted in the negative, were—

John B. Bruner, G. A. C. Holt—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives, entitled

An act for the benefit of Isom Johnson, sheriff of Henderson county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Isom Johnson, sheriff of Henderson county, be, and he is hereby, allowed $121 10, for conveying Augusta Jewell to the Penitentiary, said Jewell having been convicted of a felony at the April term, 1868, of the Henderson circuit court, said sum to be paid out of any money in the Treasury not otherwise appropriated

§ 2. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Lyttleton Cooke,	John W. F. Parker,
Jos. M. Alexander,	A. D. Cosby,	I. A. Spalding,
Robert Boyd,	A. H. Field,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	Philip Swigert,
John B. Bruner,	Evan M. Garriott,	Oscar Turner,
Tho. P. Cardwell,	G. A. C. Holt,	A. C. Vallandingham,
Jno. G. Carlisle,	P. H. Leslie,	Ben. J. Webb,
Joseph H. Chandler,	D. Y. Lyttle,	I. C. Winfrey—25.
John B. Clarke,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill from the Senate, entitled

An act to incorporate the Farmers' and Drovers' Bank.

Which were twice read and concurred in.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal section 3 of an act, entitled "An act to rebuild the bridges on the Bardstown and Louisville turnpike road."

An act to amend the revenue laws of this Commonwealth.

An act to incorporate the Allensville turnpike road company.

An act to authorize the county court of Franklin county to subscribe for stock in the Kentucky River Navigation Company, to issue county bonds, and create a sinking fund to pay the same.

An act incorporating the Claysville, Kentontown, and Mt. Olivet turnpike road company.

An act to incorporate the Shepherdsville and Mount Washington turnpike road company.

An act for the benefit of W. M. Rhea.

An act for the benefit of T. W. Samuels, late sheriff of Nelson county, and his sureties.

An act authorizing Wm. A. Cardin, James A. Sims, and John Dawson to erect a mill-dam across the Rolling Fork of Salt river.

An act to amend an act, entitled "An act for the benefit of the Maysville and Lexington railroad company, Northern Division," approved January 21, 1868.

An act for the benefit of Elizabeth Haden.

An act to incorporate the Cowan turnpike road company, in Boyle and Mercer counties.

An act to amend and reduce into one all acts in regard to the town of Concord, in Lyon county.

Mr. Carlisle moved the following resolution, viz:

Resolved, That the Librarian be, and he is hereby, directed to remove the old books now upon the shelves in the ante-room of the Senate Chamber, and substitute in their stead the Acts and Journals of the General Assembly since the session of 1859–60, and the legislative and other official reports during the same period, together with twelve copies of the Revised Statutes, Myers' Supplement, and Codes of Practice.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Chandler—

1. A bill for the benefit of A. C. Cox, of Green county.

On motion of Mr. Spalding—

2. A bill to re-enact an act, entitled "An act to incorporate the town of Clay, in Webster county."

On motion of same—

3. A bill to amend article 2, chapter 99, of the Revised Statutes.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Codes of Practice the 2d, and the Committee on the Revised Statutes the 3d.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish a State House of Reform for Juvenile Delinquents;

An act to enlarge the voting precinct of Mt. Sterling;

An act to regulate and create the office of treasurer for Carroll county;

An act to incorporate Ashland Cumberland Presbyterian Church, in Crittenden county;

An act to incorporate Confidence Lodge, No. 204, of the Independent Order of Good Templars, of Augusta;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the sureties of Wm. Herrin, late sheriff of Fulton county;

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap railroad company;"

An act for the benefit of the Flemingsburg and Mount Carmel turnpike road company;

An act to incorporate the Lexington and Virginia railroad company;

An act to incorporate the Flemingsburg and Dobynsburg turnpike road company;

An act incorporating the Berry's Station, Raven's Creek, and Dry Ridge turnpike road company;

An act to incorporate the Frankfort and Flat Creek turnpike road company;

An act to incorporate the Shepherdsville and Cedar Grove Church turnpike road company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto,

and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

The following petitions were presented, viz:

By Mr. Alexander—

1. The petition of sundry citizens of Rowan county, asking an appropriation to build a bridge across Triplett's creek on the State road.

By same—

2. The petition of the president and directors of the Mount Carmel and Fox Spring turnpike road company, asking an amendment of their charter.

Which were received, the reading dispensed with, and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to legalize certain acts of the Oldham county court, and to authorize the enforcement of the same.

An act to incorporate the Burlington and Hebron turnpike road company.

An act to incorporate the Hartford Railroad and Mining Company.

An act for the benefit of the late clerks, late sheriffs, late jailers, and other civil officers of this Commonwealth having uncollected fee bills.

An act to amend the charter of the town of Bardstown.

An act authorizing the county court of Fayette county to subscribe stock in turnpike roads.

An act for the benefit of Julia Owens, widow of Samuel W. Owens, former clerk of the Mason circuit court.

An act making the amended road law, approved February 17th, 1866, apply to Breckinridge county.

An act to change the time of holding the Marion quarterly court.

An act to change the place of voting in district No. 5, in McCracken county.

An act to incorporate the Cloverport and Panther Creek turnpike road company.

An act to amend an act to increase the jurisdiction of quarterly courts and courts of justices of the peace in Whitley county," approved February 15, 1864.

An act for the benefit of the Ryder Cemetery Company.

An act to prevent prize-fighting and training for prize-fighting in this Commonwealth.

An act for the benefit of Wm. Grisham.

An act to authorize the Boyd county court to make a road from Catlettsburg to the Lawrence county line.

An act to amend the charter of the Russellville District turnpike company.

An act to change the time of holding the Woodford county court, and providing for the holding of the court of claims for Woodford county.

An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company.

An act for the benefit of Montgomery Howard, jr.

Mr. Webb, from a select committee, to whom had been referred a resolution from the House of Representatives, entitled

Resolution on the death of Chas. S. Morehead,

Reported the same without amendment.

[*For resolution—see this Journal, page* 244.]

The question was then taken on concurring in said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	E. D. Standeford,
Jos. M. Alexander,	A. H. Field,	Philip Swigert,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
John G. Carlisle,	Evan M. Garriott,	A. C. Vallandingham,
Jos. H. Chandler,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	I. C. Winfrey—20.
Lyttleton Cooke,	I. A. Spalding,	

Those who voted in the negative, were—

John B. Bruner, Tho. P. Cardwell—2.

Resolved, That the title of said resolution be as aforesaid.

And then the Senate adjourned.

TUESDAY, FEBRUARY 16, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill from the House of Representatives, entitled

An act to amend the charter of the town of Catlettsburg.

That they had concurred in the adoption of resolutions, which originated in the Senate, of the following titles, viz:

Resolution in regard to the reports of the Auditor and Treasurer.

Resolution in relation to branching the Penitentiary.

With an amendment to the last named resolution.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Vanceburg, Quincy, and Springville turnpike road company.

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro turnpike road company."

An act to incorporate the Vanceburg, Dry Run, and Kinniconick turnpike road company.

An act to amend the charter of the Maysville and Mount Sterling turnpike road company.

An act to amend the charter of the Glasgow railroad company.

With amendments to the last two named bills.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Union and Richwood turnpike road company.

2. An act to repeal an act, entitled "An act to prohibit county judges from bringing suits to settle the estates of deceased persons," approved February 11th, 1867.

3. An act to authorize the Marshall county court to change the State road leading from Columbus to Hopkinsville.

4. An act declaring Clark river navigable.

5. An act, entitled "An act amending the road laws of the county of Gallatin."

6. An act to amend an act to incorporate the Lexington, Chilesburg, and Winchester turnpike road company.

7. An act to construct a turnpike road from Fox Run to Tucker's Shop.

8. An act providing for a tax to assist in completing and building turnpike roads in Anderson county.

9. An act to incorporate the Warsaw and South Fork turnpike company.

10. An act to incorporate the Lebanon and Calvary turnpike road company.

11. An act to amend the charter of the Independence and Colemansville turnpike road company.

12. An act to amend the charter of the Covington and Lexington turnpike road company.

13. An act to incorporate the Newport and Dayton turnpike road company.

14. An act to empower the county court of Bath to submit to the voters thereof a proposition to take stock in turnpikes, and to make valid an order therefor made by said court.

15. An act to incorporate the Four Mile and Twelve Mile turnpike road company, in Campbell county.

16. An act to declare Station creek and Buck creek, in Estill county, navigable streams.

17. An act to charter the Richmond and Boone's Gap turnpike road company, in Madison county.

18. An act, entitled "An act to charter the Mercer County Line and Cove Spring turnpike road company."

19. An act to amend the charter of the Elizabethtown and Tennessee railroad company.

20. An act to amend an act, entitled "An act to incorporate the Mayslick and Murphysville turnpike road company."

21. An act to incorporate the Howard's Mill and Owingsville turnpike road company.

22. An act for the benefit of Tate's Creek turnpike road.

23. An act to amend the charter of the Little Flat Creek turnpike road company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, and 23d to the Committee on Internal Improvement; the 2d to the Committee on the Judiciary, and the 3d and 14th to the Committee on County Courts.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Owensboro and Russellville railroad company.

An act to incorporate the town of Lusby, in Owen county.

An act to amend section 3, article 6, of chapter 16, of the Revised Statutes.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of John C. Howard, late sheriff of Harlan county.

After a short time, said bill was handed in at the Clerk's desk.

The question was then taken on reconsidering the vote by which said bill had been disagreed to, and it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Finance.

Mr. Martin, from the Committee on Religion, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of the trustees of Providence Church, in the county of Mercer;

An act for the benefit of the trustees for the churches composing the Logan circuit of the Methodist Episcopal Church, South;

Reported the same, with an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Revised Statutes, reported the following bills, viz:

A bill to change the time for holding the Franklin county court.

A bill to amend article 2, chapter 99, Revised Statutes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a resolution, entitled

Resolution to test the constitutionality of a certain congressional enactment therein named and jurisdiction of the United States courts thereunder.

Said resolution reads as follows, viz:

Whereas, The United States courts and authorities claim and exercise the power to arrest and imprison, and the jurisdiction to try and punish, the citizens of this Commonwealth, under an act of Congress, entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication," and passed 9th day of April, 1866; and whereas, said courts have, in several instances, tried and convicted citizens of this Commonwealth for alleged crimes and offenses charged to have been committed in violation of the State laws only, and exclusively cognizable by the State courts; and whereas, it is believed by the General Assembly of this Commonwealth that said act of Congress is unconstitutional and void, and that the Federal Court in Kentucky has not jurisdiction to try alleged offenders charged alone with a violation of the criminal or penal laws of this Commonwealth, and that said act is not applicable to such cases; therefore, be it,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and hereby is, authorized and requested to immediately take such steps as he may deem proper and necessary to test and determine if said act be constitutional; and whether, under it, the Federal Court in Kentucky can rightfully assume jurisdiction to try persons charged alone with a violation of the criminal or penal laws of Kentucky; and, to that end, he may employ counsel, and do such other acts as he may deem necessary to accomplish the objects and purposes of this resolution; and, to meet the necessary expenses, he is authorized to make his requisition upon the Auditor, who shall draw his warrant upon the Treasury for whatever sum may be incurred by him for said purpose.

Mr. Spalding then moved to postpone the further consideration of said resolution until Thursday next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Field, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Joseph Gardner,	I. A. Spalding,
John B. Bruner,	P. H. Leslie,	Philip Swigert,

Tho. P. Cardwell,	W. Lindsay,	Oscar Turner,
Jos. H. Chandler,	D. Y. Lyttle,	W. L. Vories,
A. D. Cosby,	John W. F. Parker,	I. C. Winfrey—15.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John G. Carlisle,	Evan M. Garriott,
Joseph M. Alexander,	John B. Clarke,	I. T. Martin,
F. M. Allison,	Lyttleton Cooke,	A. C. Vallandingham,
A. K. Bradley,	A. H. Field,	H. Thompson—12.

The Senate also took up for consideration a bill to repeal section 24, chapter 80, title "Real Estate," of the Revised Statutes.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 24 of chapter 80, title "Real Estate," of the Revised Statutes, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

Mr. Cooke then moved to amend the bill by adding to the first section thereof the following proviso:

Provided, however, That the provisions of this bill shall apply only to the counties of Jefferson and Kenton.

And the question being taken thereon, it was decided in the negative.

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

So said bill was rejected.

The select committee, to whom was referred a bill to regulate the sale of tobacco at Louisville,

Together with the pending amendments,

Reported the same, with sundry amendments thereto.

Said bill, as amended, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person or persons now owning, or who shall hereafter own, or have a warehouse or warehouses in the city of Louisville, for the reception, storage, or sale of tobacco, shall cause the same to be constructed so as to keep safely and securely from fire, the dampness of the earth, and from the weather, all tobacco stored therein; and such houses shall, at all times, be kept open and in good repair for receiving, storing, inspecting, selling, and delivering tobacco in hogsheads.

§ 2. That the proprietor of each warehouse shall keep a well-bound book of proper size, in which shall be entered the marks, numbers, gross, tare, and net weight of each hogshead inspected and sold, together with the owner's name, and the name of the purchaser, and the price sold for per hundred pounds, and the amount each hogshead sold for, the date when sold, and collect and pay over to the planter or seller of each hogshead the sum due him. He shall make account

of sales for the planter or seller, stating the number of hogsheads, gross, tare, net price per hundred, the date, and price each hogshead comes to. He shall provide, and continually keep in his warehouse, and in good order, a pair of scales of sufficient size and strength to weigh at least one ton weight, and shall have them tested at least once every year, and oftener if necessary, by the standard weights and measures. He shall provide a sufficient number of coopers to do the coopering, and handle tobacco stored, inspected, and sold in his warehouse, and to do all things needful in receiving, storing, and selling tobacco. The said warehouse proprietor shall superintend the weighing of each hogshead of tobacco, and see that the empty cask is properly weighed, and that the proper weight, gross, tare, and numbers are marked on one of the heads of the same. They shall cause each hogshead to be uncased, and shall furnish the necessary hands to break the same. The inspectors shall then cause it to be broken in not less than three places, and oftener, should they deem it necessary; and shall draw fair samples from each hogshead of the quality thereof, and said samples shall belong to the purchaser of the hogshead.

§ 3. That the proprietor or operator of each warehouse, before he or they shall receive into such house any tobacco for the purposes aforesaid, shall enter into a covenant to the Commonwealth of Kentucky, with good security, to be approved by the mayor and city council of the city of Louisville, in the sum of ten thousand dollars, conditioned to pay over to the planter or seller the proceeds of all sales made by him for said planter or seller; and that he will, at all times, keep such house, and preserve and take such care of all tobacco received there, as this act requires, and in all things else pertaining to said warehousing act, in obedience to, and in compliance with, the law. Any person injured by a breach of said covenant may sue thereon, and have judgment for his damages. If said covenant is not given with the security aforesaid, the warehouseman is forbidden to receive upon storage, or for inspection or sale, any tobacco whatever into his said house; and if he does so, shall be fined in any sum not less than one thousand dollars, upon the indictment of a grand jury. No storage shall be charged upon any hogshead of tobacco for the first six months it lies in the warehouse; but if it remains there beyond that time, a fee of twenty cents per month thereafter may be charged on each hogshead as storage. They shall not, however, store, or be required to store, in their warehouses, to such an extent as to impede the selling or delivery of tobacco.

§ 4. That the Governor of this Commonwealth shall, on the first day of March of each year, appoint four fit and competent persons for the inspection of tobacco in the tobacco warehouses in the city of Louisville, and four competent persons for the weighing of tobacco at the said warehouses in the city of Louisville. Each of said inspectors and weighers shall hold his office one year, but may be removed at any time by the Governor. Each of said inspectors and weighers shall, before he enters upon the duties of his office, take an oath and subscribe thereto, in writing, before the clerk of the Jefferson county court, that he will honestly and faithfully, clear of the influences of

favor, affection, partiality, or prejudice, execute and perform all the duties required of him by the laws of the State, as such inspector or weigher; and that he will not, directly or indirectly, during his continuance in his office, buy, sell, or in any way be interested in the purchase or sale of any tobacco sold at, or to be brought to and sold at, any of said warehouses, or that has been there and sold; and shall also execute a bond before said clerk, with good security, to be approved by the clerk, in the sum of five thousand dollars, conditioned for the faithful and full performance of all his duties under the law, as such inspector or weigher; and for any injury sustained by any one on account of a breach of any of the conditions of said bond, an action shall lie, and a recovery be had thereon in his favor in any of the circuit courts of this Commonweath.

§ 5. That it shall be the duty of said inspectors, two at least of them being together, to draw from each and every hogshead of tobacco brought into and offered at public sale in any of said houses, fair samples of the same; and, after said samples are drawn, they shall tie each sample securely and neatly, so as to designate in order the breaks from which said sample was drawn. After thus tying the sample with suitable twine, and placing thereon a card with printed name of the warehouse, and the number of the hogshead, the cards, wax, and twine to be furnished by the proprietor of the warehouse, they shall seal and stamp said sample with sealing-wax, a suitable seal to be furnished by said inspectors; and said inspectors shall alternate daily in the duties of sampling, tying, and sealing.

§ 6. That it shall be the duty of said weighers to attend daily, at such time as the proprietors of said warehouses may designate, and weigh all tobacco offered for sale, deducting ten pounds, and no more, for sample and waste, and, after such deduction, mark the gross weight distinctly on one head of the hogshead. After the tobacco is placed in the break and stripped, they shall take the tare weight of each cask, and mark the same distinctly on the side. After the sale they shall personally attend the coopering of the tobacco, and see to it that all the tobacco properly belonging to each hogshead of tobacco is placed therein, and that the same is well coopered; and it shall be the duty of the proprietors of each warehouse to furnish all the best appliances known for the screwing down and securing tobacco in the cask, and all necessary facilities for coopering; and upon their failure to do so, after reasonable notice, it shall be the duty of said weighers to furnish the same at the expense of the proprietors of the warehouse failing to comply. The said weighers shall alternate daily between each of said warehouses, and perform their various duties aforesaid at such hours as the proprietors of said houses may designate. After each hogshead of tobacco has been sold and properly re-coopered, it shall again be correctly weighed by the same weigher, and this weight also distinctly marked on the head of the hogshead, using some mark to distinguish the first and second weighings. The proprietor of the warehouse shall settle with the seller according to the first weight, and with the purchaser according to the second weight deducting the proper tare in each instance. No owner of tobacco, when the same is cried off at auction in any of said houses, shall be compelled to

abide the sale, but shall have the right, at the time it is cried off, to accept it as a sale or reject it. If he rejects the sale, however, he will be bound for the fees and charges as if the sale was accepted; and a lien is hereby given to the proprietors of the warehouse, and the inspectors and weighers, on all tobacco and proceeds, for their fees and charges on the same.

§ 7. That said proprietors of said warehouses shall be allowed to charge, collect, and receive, as compensation for receiving, storing, and selling said tobacco, and receiving and paying over the proceeds to the owner, three dollars and fifty cents on each hogshead, and no more, one half to be paid by the seller, and the other half by the purchaser; and said inspectors and weighers shall be entitled to receive, for each hogshead of tobacco inspected and weighed, forty cents, and no more, which shall be equally divided between them, one half to be paid by the seller, and one half by the purchaser.

§ 8. That the duties fixed and imposed by this act upon said inspectors and weighers of tobacco shall be performed by them in person; and any inspector or weigher of tobacco who shall fail to be present in person, and attend to and perform the duties assigned him under this act, for more than one day at a time, except in case of sickness with himself or family, shall be subject to removal from his said office: *Provided, however*, If, at any time, any of said inspectors or weighers shall be absent from said warehouses when tobacco is to be inspected or weighed, it shall be the duty of the warehouseman to appoint an alternate to do such inspection or weighing during such absence; and the alternate so appointed and doing the work shall receive and be entitled to the fees for such inspection and weighing, and it shall be paid to him instead of the regular inspector or weigher; and the said regular weighers and inspectors shall not receive any fees or compensation upon any hogshead of tobacco except those actually inspected and weighed by them; but before such alternate, appointed as aforesaid, shall proceed to the duties of inspection or weighing, he shall take and subscribe the same oath required of the regular inspectors and weighers, which shall be filed in the clerk's office aforesaid; and for a violation of that oath by him, or for a violation of the oath aforesaid of any inspector or weigher, he or they will be subject to all the pains and penalties denounced against perjury and false swearing.

§ 9. That it shall not be lawful for any proprietor of any one of said warehouses, or any one who has any interest therein whatever, directly or indirectly, or either of said inspectors or weighers, to buy or sell any tobacco brought to or sold, or offered to be sold, at any of said houses, or which has been sold or offered for sale in that market, or which shall be brought there for sale; nor shall said proprietors, or any one interested in the business of either of said houses, or said inspectors or weighers, be interested as co-partners, or otherwise, with any person or persons in the sale or purchase, or in handling, in any way, any tobacco which shall be brought to that market, or which shall be there, or which has been there; and any one violating these provisions of this act, shall be subject to indictment of the grand jury, and fined not less than one thousand dollars for each offense, one half

of which shall go to the Commonwealth, and the other to the informer.

§ 10. That all laws in this State in conflict with the provisions of this act are hereby repealed; and all laws allowing any further, greater, or additional fees and charges to be made upon tobacco received, inspected, or sold at said warehouses, are hereby repealed.

§ 11. This act to take effect from its passage.

The first amendment proposed by the committee read as follows, viz:

Section one, line six, after the word "weather," add the words "as near as practicable."

Which was adopted.

The second amendment proposed by the committee reads as follows, viz:

Add to section three the following proviso:

Provided, however, If a hogshead of tobacco remains in any one of said warehouses three months after it has been once sold, the warehouseman shall be allowed to charge fifty cents per month storage thereon for each month it remains there after that time.

Which was adopted.

The third amendment proposed by the committee reads as follows, viz:

Section four, line two, strike out the words "of each year, appoint four," and insert the words "next, appoint three."

Mr. Standeford then moved to amend the amendment proposed by the committee as follows:

Strike out "three," and insert in lieu thereof "four."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Standeford and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	I. A. Spalding,
Jos. M. Alexander,	A. H. Field,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	Evan M. Garriott,	Harrison Thompson,
John B. Clarke,	D. Y. Lyttle,	Oscar Turner,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb—18.

Those who voted in the negative, were—

Robert Boyd,	Jos. H. Chandler,	W. Lindsay,
John B. Bruner,	G. A. C. Holt,	W. L. Vories,
Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey—10.
Jno. G. Carlisle,		

The question was then taken on the adoption of the amendment as amended, and it was decided in the affirmative.

The fourth amendment proposed by the committee reads as follows, viz:

Section four, line six, strike out the words "one year," and insert in lieu thereof the words "till the first day of November next, and until their successors are qualified;" and also to amend the same section, line four, by striking out the word "four," and inserting in lieu thereof the word "five."

Mr. Chandler then moved to amend the latter clause of the amendment proposed by the committee as follows, viz:

Strike out the word "five," and insert in lieu thereof the word "four."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cosby and Field, were as follows, viz:

Those who voted in the affirmative, were—

John B. Bruner,	P. H. Leslie,	Oscar Turner,
Jos. H. Chandler,	I. A. Spalding,	W. L. Vories,
A. D. Cosby,	Philip Swigert,	I. C. Winfrey—10.
G. A. C. Holt,		

Those who voted in the negative, were—

Mr. Speaker (Johnson),	John B. Clarke,	D. Y. Lyttle,
Jos. M. Alexander,	Lyttleton Cooke,	I. T. Martin,
F. M. Allison,	A. H. Field,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	H. Thompson,
A. K. Bradley,	Evan M. Garriott,	A. C. Vallandingham,
Tho. P. Cardwell,	W. Lindsay,	Ben. J. Webb—19.
John G. Carlisle,		

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

The fifth amendment proposed by the committee reads as follows, viz:

Section six, line three, strike out the word "ten," and insert in lieu thereof the word "six."

Mr. Standeford moved to amend the amendment proposed by the committee as follows, viz:

Strike out the word "six," and insert in lieu thereof the word "eight."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

The sixth amendment proposed by the committee reads as follows, viz:

Same section, line twenty-nine, after the word "charges," insert the words "except the commissions."

Which was adopted.

The seventh amendment proposed by the committee reads as follows, viz:

Section seven, line four, strike out the words "and fifty cents," and insert in lieu thereof the words "and one per cent. on the proceeds of sale as commission, and such storage as may be then due."

Mr. Standeford then moved to amend the amendment by striking out the words "and fifty cents" from the proposed amendment of the committee.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Standeford and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	D. Y. Lyttle,	H. Thompson,
A. K. Bradley,	I. T. Martin,	Ben. J. Webb—8.
Lyttleton Cooke,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	W. Lindsay,
F. M. Allison,	A. D. Cosby,	John W. F. Parker,
Robert Boyd,	A. H. Field,	I. A. Spalding,
John B. Bruner,	Joseph Gardner,	Philip Swigert,
Tho. P. Cardwell,	Evan M. Garriott,	Oscar Turner,
John G. Carlisle,	G. A. C. Holt,	W. L. Vories,
Jos. H. Chandler,	P. H. Leslie,	I. C. Winfrey—21.

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

The eighth amendment proposed by the committee reads as follows, viz:

Section seven, lines five and six, strike out the words "one half to be paid by the seller, and the other half by the purchaser," and insert the words "two dollars of which shall be paid by the purchaser, and the remainder by the seller."

Which was adopted.

The ninth amendment proposed by the committee reads as follows, viz:

Same section, line seven, strike out the word "forty," and insert in lieu thereof the words "sixty-four."

Mr. Carlisle then moved to amend the amendment proposed by the committee as follows, viz:

Strike out the words "sixty-four," and insert in lieu thereof the words "seventy-two."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Spalding, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	E. D. Standeford,
Jos. M. Alexander,	Joseph Gardner,	Harrison Thompson,
F. M. Allison,	W. Lindsay,	Oscar Turner,
A. K. Bradley,	D. Y. Lyttle,	A. C. Vallandingham,
John G. Carlisle,	I. T. Martin,	W. L. Vories,
John B. Clarke,	I. A. Spalding,	Ben. J. Webb—19.
Lyttleton Cooke,		

Those who voted in the negative, were—

Robert Boyd,	A. D. Cosby,	Jno. W. F. Parker,
John B. Bruner,	Evan M. Garriott,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey—10.
Joseph H. Chandler,		

The question was then taken on the adoption of the amendment as amended, and it was decided in the affirmative.

The tenth amendment proposed by the committee reads as follows, viz:

Section eight, line five, strike out the words "than one day at a time," and insert in lieu thereof the words "than fifteen days during the year."

Which was adopted.

The eleventh amendment proposed by the committee reads as follows, viz:

Amend the amendment heretofore adopted as a proviso to the eighth section as follows, viz:

Line three, strike out the word "warehouseman," and insert the words "other inspectors or weighers."

Which was adopted.

The twelfth amendment proposed by the committee reads as follows, viz:

Add to the bill the following, as section ten, viz:

§ 10. The proprietors of the different warehouses shall be liable for their agents and servants, and for the safe-keeping and delivery in their warehouses, except in case of fire or unavoidable accidents; and shall deliver all tobacco to the owner within a reasonable time after demanded at the warehouse on presentation of the note or receipt to one of the proprietors of the house or his clerk, and payment of all fees and charges due on said tobacco. The note or receipt made out by the proprietors of the warehouses shall be assignable by indorsement or delivery, and such assignment shall pass the title to the tobacco described in said note or receipt. All tobacco sold at the different warehouses shall be exempt from auction duties; and no planter or owner of tobacco shall be required to take it to any warehouse in Louisville, or to have it inspected or sold at either of the warehouses in said city.

Which was adopted.

The thirteenth amendment proposed by the committee reads as follows, viz:

Add to the bill the following, as section eleven, viz:

§ 11. On the first day of November, 1869, and on the same day every year thereafter, the Governor of this Commonwealth shall appoint four fit and proper persons to be inspectors and five fit and proper persons to be weighers of tobacco at Louisville, who shall hold their offices one year, and until their successors shall be duly qualified, but may be removed at any time by the Governor. They shall, in all things and respects, conform to and execute the duties of inspectors and weighers of tobacco, as directed and imposed upon such officers by this act; and, for their services, they shall be entitled to receive sixty-three cents upon each hogshead of tobacco inspected and weighed, and no more, one half to be paid by the seller, and the other half by the buyer.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lyttle—

1. A bill to prevent the carrying and use of concealed deadly weapons in Kentucky.

On motion of Mr. Thompson—

2. A bill repealing all acts or parts of acts authorizing the trustees of the town of Winchester to grant coffee-house license.

On motion of Mr. Winfrey—

3. A bill to authorize the trustees of the town of Columbia to appropriate any money that they have in their hands to build a school-house for common school purposes.

Ordered, That the Committee on Religion prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d, and the Committee on Education the 3d.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky River Navigation Company;"

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to require the county clerk of Meade county to have certain books rebound;

An act to incorporate the Richmond Hotel Company;

An act to amend the charter of Allensville;

An act to amend an act, entitled "An act to incorporate the Paducah, Benton, and Murray Gravel Road Company;"

An act for the benefit of John L. Slavin, sheriff of Garrard county;

An act to incorporate the Odd Fellows' Temple Association;

An act to incorporate Christ Episcopal Church, at Bowling Green;

An act for the benefit of Thos. B. Vinson, of Grayson county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act incorporating the Berry's Station, Raven's Creek, and Dry Ridge turnpike road company.

An act to incorporate the Frankfort and Flat Creek turnpike road company.

An act for the benefit of the sureties of Wm. Herrin, late sheriff of Fulton county.

An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap railroad company."

An act for the benefit of the Flemingsburg and Mount Carmel turnpike road company.

An act to incorporate the Shepherdsville and Cedar Grove Church turnpike road company.

An act to incorporate the Flemingsburg and Dobynsburg turnpike road company.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 17, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek turnpike road company."

An act to amend an act, entitled "An act to amend the charter of the Bardstown and Louisville railroad company," approved March 6, 1856.

An act to fix the tolls on the Green and Taylor turnpike road.

An act for the benefit of the city of Dayton, in Campbell county.

That they had passed bills of the following titles, viz:

1. An act to authorize the election of a chancellor of the Louisville chancery court when the chancellor is absent or interested in a case.

2. An act to authorize the town of Carlisle, in Nicholas county, to take stock in its corporate capacity in the Maysville and Lexington railroad company.

3. An act to amend an act authorizing the counties of Bourbon, Nicholas, and Fleming to take stock in the Maysville and Lexington railroad company, Northern Division.

4. An act to repeal an act authorizing the Sardis Company to subscribe stock in the Sardis and Mount Olivet turnpike road.

5. An act to provide for the collection of railroad tax in Nicholas county.

6. An act appropriating two thousand dollars to remove obstructions out of the Sturgeon Fork of the Kentucky river.

7. An act, entitled "An act for the benefit of E. D. Morgan."

8. An act to incorporate the Standford Female Seminary.

9 An act for the benefit of the common schools of the city of Newport.

10. An act to organize and establish a system of public schools in the city of Henderson.

11. An act to consolidate school districts Nos. 18 and 19, in Kenton county.

12. An act for the benefit of school district No. 29, in Clinton county.

13. An act for the benefit of the Standford Male and Female Seminary.

14. An act concerning school trustees of Paducah.

15. An act to incorporate the Vaughn Female Academy, at Owensboro.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 3d to the Committee on the Judiciary; the 4th to the Committee on Internal Improvement; the 5th to the Committee on County Courts; the 6th and 7th to the Committee on Finance, and the 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 15th to the Committee on Education.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Confidence Lodge, No. 204, of the Independent Order of Good Templars, of Augusta.

An act to incorporate Ashland Cumberland Presbyterian Church, in Crittenden county.

An act to enlarge the voting precinct of Mt. Sterling.

An act to create and regulate the office of treasurer for Carroll county.

An act to establish a State House of Reform for Juvenile Delinquents.

That they had adopted a resolution, entitled

Resolution providing for a recess and for firing salute on the 22d February.

Which was taken up, twice read, and concurred in.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Lindsay, from the Committee on County Courts—

1. A bill to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county.

By Mr. Webb, from the Committee on Education—

2. A bill to authorize the trustees of the town of Columbus to appropriate money to build a school-house in said town for common school purposes.

By same—

3. A bill for the benefit of common school district No. 20, in McLean county.

By Mr. Garriott, from the Committee on County Courts—

4. A bill empowering the Russell county court for certain purposes.

By Mr. Boyd, from the same committee—

5. A bill to amend the charter of the Owensboro Gas-light Company.

By same—

6. A bill for the benefit of the county courts of Spencer and Bullitt counties.

By Mr. Leslie, from the Committee on Finance—

7. A bill for the benefit of A. C. Cox, of Green county.

By same—

8. A bill for the benefit of Daviess county.

By same—

9. A bill to authorize the trustees of Campbellsville, in Taylor county, to issue bonds, and provide for the payment of the same.

By same—

10. A bill in relation to the assessment, collection, and payment of taxes in this Commonwealth.

By Mr. Carlisle, from the Committee on the Judiciary—

11. A bill to amend the charter and to extend the corporation of the town of Independence.

By same—

12. A bill to amend the charter of the city of Augusta.

By same—

13. A bill authorizing any litigant to use original county court land warrants and plats in certain cases.

By same—

14. A bill for the benefit of C. A. Wandelohr, of Pendleton county.

By same—

15. A bill to incorporate the Kentucky and Ohio Bridge Company.

By same—

16. A bill to punish certain trespasses in the counties of Kenton, Campbell, and Jefferson.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 10th was placed in the orders of the day; the 16th was made the special order of the day for the 23d inst., and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 14th, and 15th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, asked to be discharged from the further consideration of a petition to them referred in relation to a change of the line between the counties of Adair and Taylor.

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Boyd, from the Committee on County Courts—

An act authorizing the county judge of Green county to levy a tax to repair the court-house of Green county.

By same—

An act to repeal an act, entitled "An act to establish two additional justices' districts in Mason county," approved February 13th, 1868, and the act amendatory thereof, approved March 5th, 1868.

By Mr. Leslie, from the Committee on Finance—

An act empowering the county court of Carter county to levy a tax for the purpose of rebuilding the clerks' offices of the county and

circuit courts in said county, and to build fire-proof vaults for the safe-keeping of the public records of said county.

By same—

An act for the benefit of Nancy Hodge, of Hart county.

By same—

An act for the benefit of Frank Hill, late sheriff of Washington county.

By Mr. Alexander, from the Committee on Internal Improvement—

An act declaring Clark's river a navigable stream.

By same—

An act for the benefit of the Mt. Sterling and Owingsville turnpike road company.

By same—

An act to amend the charter of the Richmond and Barnes' Mill turnpike road company.

By same—

An act for the benefit of the Cincinnati, Lexington, and East Tennessee railroad company.

By same—

An act to incorporate the Jones' Mill and Barnes' Mill turnpike road company.

By same—

An act for the benefit of the Richmond and Big Hill turnpike road company.

By same—

An act for the benefit of the Clark and Bourbon turnpike road company.

By same—

An act to amend the charter of the Burlington and Florence turnpike road company.

By same—

An act to incorporate the Olympian Springs and Slate Bridge turnpike road company.

By same—

An act to incorporate the Flemingsburg and Mouth of Fox turnpike road company.

By same—

An act to incorporate the Richmond, Union, and Kentucky River turnpike road company.

By same—

An act to amend the charter of the Shelbyville and Louisville turnpike road company.

By same—

An act to incorporate the Fox Run and Bullskin turnpike road, in Shelby county.

By same—

An act to amend the charter and supplemental and amended charter of the Harrodsburg and Cornishville turnpike.

By Mr. Standeford, from the same committee—

An act to incorporate the Doyle's Lane and Wilsonville turnpike road company.

By same—

An act to repeal section 9 of an act, entitled "An act to incorporate the Mount Carmel and Fox Springs turnpike road company, and to levy a tax to aid in building said road."

By Mr. Bruner, from the Committee on Revised Statutes—

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts concerning the town of Lagrange," approved 3d of March, 1868.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to legalize the proceedings of the Bowling Green Building Company.

With amendments to the last two named bills.

Which were concurred in.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the sureties of B. W. Cleaver, late sheriff of Grayson county, in his revenue bond for 1866,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby directed and required to draw his

warrant on the Treasury for the sum of $155 42, in favor of the sureties of B. W. Cleaver, late sheriff of Grayson county, in his revenue bond for 1866, said sum being the amount of damages paid by said sureties on account of the defalcation of said sheriff on his revenue for 1866.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Jno. W. F. Parker,
Jos. M. Alexander,	A. H. Field,	I. A. Spalding,
John B. Bruner,	Joseph Gardner,	E. D. Standeford,
Tho. P. Cardwell,	Evan M. Garriott,	Philip Swigert,
John G. Carlisle,	W. C. Halbert,	H. Thompson,
Joseph H. Chandler,	P. H. Leslie,	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	I. C. Winfrey—21.

In the negative—I. T. Martin.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties,

Reported the same, with an amendment as a substitute for said bill.

The original bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the judgment in favor of the Commonwealth against A. W. Nickell and his sureties for the revenue of 1866 as was for damages, to-wit: three hundred dollars and seventy-seven cents, be, and the same is hereby, remitted: *Provided*, That said Nickell and his sureties shall pay the residue of said judgment, including all costs, fees, interest, and attorneys' fees, into the Treasury on or before the first Monday in October, 1869.

§ 2. This act shall take effect from its passage.

The amendment proposed by the committee reads as follows, viz:

WHEREAS, Judgment was rendered by the Franklin circuit court against A. W. Nickell and his securities for the revenue of 1866, besides cost and damages, due from him as sheriff of Johnson county; and whereas, execution issued upon said judgment, which was levied upon certain lands of said Nickell and his securities, situated in said county, which were afterwards sold by the sheriff of Floyd county, and were bid in for the State of Kentucky by her agent, but at prices less than two thirds of their value; the sales, however, amounted to a sufficiency to finish paying off said execution; and it is now represented that the defendants, whose said lands were sold, contemplate

redeeming them before the one year expires from the day of sale; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, in the event that said sheriff, Nickell, or any of his securities, shall pay into the Treasury the principal, interest, cost, Attorney General's fees, and all other costs and charges to which the State has or may be subjected on account of said failure to pay said revenue, on or before the first day of October, 1869, then all the balance of the damages in said execution is to stand released and forever remitted; and the Auditor is directed to settle with said parties accordingly.

§ 2. This act to take effect from its passage.

The question was then taken on the adoption of the amendment proposed by the committee, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. D. Cosby,	I. A. Spalding,
Jos. M. Alexander,	A. H. Field,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	Evan M. Garriott,	Harrison Thompson,
John B. Bruner,	W. C. Halbert,	Oscar Turner,
Tho. P. Cardwell,	P. H. Leslie,	A. C. Vallandingham,
John G. Carlisle,	D. Y. Lyttle,	W. L. Vories,
Joseph H. Chandler,	I. T. Martin,	Ben. J. Webb,
John B. Clarke,	Jno. W. F. Parker,	I. C. Winfrey—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred bills from the House of Representatives, of the following titles, viz:

An act to prevent trespass upon turnpike roads;

An act to regulate tolls on the Lexington and Maysville turnpike road;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the Dry Creek and Covington turnpike company,

Reported the same without amendment.

Ordered, That said bill be placed in the orders of the day.

The Senate took up for consideration a bill to authorize the Auditor of Public Accounts to compromise certain demands in favor of the Commonwealth.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate also took up for consideration the following bills, viz:

A bill for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies.

A bill for the incorporation and regulation of Life Insurance Companies.

A bill to establish an Insurance Department.

Ordered, That said bills be made the special order of the day for to-morrow.

Leave of indefinite absence was granted to Mr. Chandler.

Leave was given to bring in the following bills, viz:

On motion of Mr. Field—

1. A bill further defining what are fiducial funds, and regulating their status in the courts of this Commonwealth.

On motion of Mr. Parker—

2. A bill for the benefit of Lenora Russell, of Pulaski county.

On motion of same—

3. A bill to empower the Pulaski county court to levy a tax to build a jail.

On motion of Mr. Holt—

4. A bill to charter the Deposit Bank at Murray.

On motion of Mr. Vories—

5. A bill to charter the New Castle and Ballardsville turnpike road company.

On motion of same—

6. A bill to charter the Ballardsville and Christiansburg turnpike company.

On motion of Mr. Carlisle—

7. A bill to cure defective acknowledgments of deeds.

On motion of Mr. Chandler—

8. A bill to authorize the trustees of the town of Campbellsville to issue bonds.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 7th; the Committee on Religion the 2d; the Committee on County Courts the 3d; the Committee on Banks the 4th; the Committee on Internal Improvement the 5th and 6th, and the Committee on Finance the 8th.

Mr. Alexander presented the petition of citizens of Hillsboro, in Fleming county, to revise the corporation laws of said town.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the Vanceburg, Quincy, and Springville turnpike road company;

An act to amend an act, entitled "An act to incorporate the Vanceburg, Dry Run, and Kinniconick turnpike road company;"

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro' turnpike road company;"

Resolution in regard to the reports of the Auditor and Treasurer;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Catlettsburg;

An act providing for suit against certain persons for trespassing on the property of the State;

An act for the benefit of Elijah Litton, late sheriff of Whitley county;

An act to amend an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26, 1868;

An act for the benefit of W. A. Ronald, late sheriff of Jefferson county;

An act to repeal an act, entitled "An act to increase the jurisdiction of the quarterly court of Henry county in criminal and penal causes," approved 7th of March, 1868;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, FEBRUARY 18, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act for the benefit of the Clark County Institute.

An act to amend the charter of the Green River Female College.

An act to organize Urania district, in Barren county.

An act for the benefit of school district No. 13, in Franklin county.

That they had disagreed to a resolution, which originated in the Senate, entitled

Resolution providing for the collection of money due the State.

That they had passed bills of the following titles, viz:

1. An act for the benefit of school district No. 20, in Simpson county.

2. An act to change the boundary of school district No. 47, in Washington county, and 48, in Marion county.

3. An act for the benefit of the colored school of Lebanon.

4. An act to amend the charter of the Female Literary and Benevolent Institution, of Loretto, Marion county.

5. An act to charter the Crittenden Seminary.

6. An act to prevent the destruction of fish in Clover creek, in Breckinridge county.

7. An act to authorize the marshal of the town of Cloverport to appoint a deputy.

8. An act for the benefit of common school district No. 63, in Lawrence county.

9. An act for the benefit of school district No. 13, in Lawrence county.

10. An act to incorporate the Pleasant Spring High School, in Daviess county.

11. An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax."

12. An act to amend an act, entitled "An act to amend article 3 of chapter 48 of the Revised Statutes," approved October 3d, 1861, and to regulate the number of Board of Managers of the Eastern Lunatic Asylum of Kentucky, and fix the mode of their appointment, and their terms of office.

13. An act to amend an act incorporating the Williamstown Academy, approved March 1st, 1860.

14. An act for the benefit of school districts Nos. 19, 38, 50, 58, 61, 18, and 26, in Lawrence county.

15. An act for the benefit of school district No. 10, in Clinton county.

16. An act for the benefit of school districts Nos. 3 and 19, of Lawrence county.

17. An act to charter the Horse Cave High School, in Hart county.

18. An act for the benefit of George Wills, of Henry county.

19. An act to regulate the holding of the circuit courts in the fourteenth judicial district.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, 5th, 8th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, and 17th to the Committee on Education; the 6th to the Committee on Agriculture and Manufactures; the 7th to the Committee on Revised Statutes; the 12th to the Committee on the Judiciary; the 18th to the Committee on Finance, and the 19th to the Committee on Circuit Courts.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to extend the corporate limits of Newport.

By same—

A bill to extend the limits of the city of Newport.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill relative to the New Orleans and Ohio railroad company and others.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, reported a bill for the benefit of the owners and keepers of livery stables.

Which was read the first time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all owners and keepers of livery stables in this State shall have a lien upon the horses, cattle, or other stock placed in such stable by the owner or owners thereof for their reasonable charges for keeping and caring for the same, and this lien shall attach whether the horses, cattle, or other stock are merely temporarily lodged, fed, and cared for, or are placed at such stables for regular board; but it shall be subject to the like limitations and restrictions as provided in case of a landlord's lien for rent.

§ 2. That when such lien exists in favor of any person, he may, before a justice of the peace, or a judge of the county court, or a police judge of any town or city where such livery stable is situated, by himself or agent, make affidavit to the amount due him and in arrear for keeping and caring for such stock, and describing, as near as may be, the horses, cattle, or other stock so kept by him; and, thereupon, such officer shall issue a warrant, directed to the sheriff or any constable or town or city marshal of said county, authorizing him to levy upon and seize the said horses, cattle, or other stock, for the amount due, with interest and costs; but if the said horses, cattle, or other stock have been removed from the custody of the livery stable keeper, with his consent, the lien herein provided for shall not continue longer than ten days from and after such removal; nor shall such lien, in any case of such removal, be valid against any *bona fide* purchaser, without notice; at any time, within ten days after such removal, a warrant, as herein provided, may be issued to another county than that in which the livery stable-keeper resides.

§ 3. That such warrant shall be made returnable, and the proceedings thereunder and the right of replevy shall be, in all respects, the same as is provided in cases of distress warrants for rent.

§ 4. That this act shall take effect from and after its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bruner moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Field, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	John B. Clarke,	H. Thompson,
Robert Boyd,	A. D. Cosby,	Oscar Turner,
A. K. Bradley,	A. H. Field,	A. C. Vallandingham,
John B. Bruner,	W. Lindsay,	I. C. Winfrey—14.
Tho. P. Cardwell,	John W. F. Parker,	

Those who voted in the negative, were—

Mr. Speaker (Johnson),	Evan M. Garriott,	I. T. Martin,
Jos. M. Alexander,	G. A. C. Holt,	I. A. Spalding,
John G. Carlisle,	P. H. Leslie,	E. D. Standeford,
Lyttleton Cooke,	Henry C. Lilly,	Philip Swigert,
Joseph Gardner,	D. Y. Lyttle,	Ben. J. Webb—15.

Ordered, That said bill be printed and placed in the orders of the day.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill to amend section 636 of the Civil Code of Practice,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was rejected.

A message was sent to the House of Representatives, asking leave to withdraw their announcement of the passage of a bill, which originated in the Senate, entitled

An act to fix the corporate limits of Cave City, in Barren county.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was taken up, and, on motion, the vote was reconsidered by which the Senate had passed said bill.

Ordered, That said bill be referred to the Committee on Finance.

On motion, the Senate took up for consideration the motion heretofore made to reconsider the vote by which said bill had been laid upon the table.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on the Judiciary.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act to incorporate the Western Military Academy, at New Castle, Henry county;

An act to amend the charter of the town of Carrollton;

An act to amend the charter of the city of Louisville;

An act to amend an act, entitled "An act to establish a police judge for the town of Carrollton;"

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town,

Reported the same without amendment.

Mr. Bruner proposed to amend that portion of the second section of the bill which relates to the qualification of the voter by striking it out.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	G. A. C. Holt,	I. A. Spalding,
John G. Carlisle,	P. H. Leslie,	Philip Swigert,
John B. Clarke,	W. Lindsay,	A. C. Vallandingham,
Lyttleton Cooke,	D. Y. Lyttle,	W. L. Vories,
Joseph Gardner,	I. T. Martin,	Ben. J. Webb—16.
Evan M. Garriott,		

Those who voted in the negative, were—

Jos. M. Alexander,	A. D. Cosby,	E. D. Standeford,
Robert Boyd,	A. H. Field,	H. Thompson,
A. K. Bradley,	Henry C. Lilly,	Oscar Turner,
John B. Bruner,	John W. F. Parker,	I. C. Winfrey—13.
Tho. P. Cardwell,		

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to authorize the election of a chancellor of the Louisville chancery court when the chancellor is absent or interested in a case,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Whenever, from any cause, the chancellor of the Louisville chancery court shall not be in attendance, at any term day of said court, the members of the bar present may, on motion of one of their number, elect a chancellor *pro tem.*, and thereupon the clerk of said court shall administer to him the same oath of office required to be taken by the chancellor, and shall enter his election upon the order-book of said court; and the chancellor *pro tem.*, so elected, shall serve as such and discharge all of the duties of said office until the chancellor shall return and resume his duties.

§ 2. Whenever the chancellor of said court, or any chancellor *pro tem.* of said court, shall be disqualified to sit in any cause, the parties may agree upon a chancellor to try such cause, or, failing so to agree, a special chancellor shall be elected by the bar at any term day of said court, who shall take the oath of office, and his election be entered of record, after which he shall discharge the duties of chancellor in such cause.

§ 3. Any causes submitted for trial to any chancellor *pro tem.*, and remaining in his hands undecided when the chancellor resumes his duties, may be decided by such chancellor *pro tem.*: *Provided*, That the said chancellor shall receive no greater compensation out of the State Treasury than circuit judges *pro tem.* are allowed by law, and shall only receive it when circuit judges *pro tem.* would be entitled thereto.

§ 4. This act shall be in force from and after its passage.

Mr. Bruner then proposed to amend the bill as follows, viz:

Strike out all after the enacting clause, and insert the following:

§ 1. That the law applicable to the election of special judges, in the absence of the regular circuit court judge, shall apply and be applicable to the Louisville chancery court.

§ 2. This act shall take effect and be in force from its passage.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	G. A. C. Holt,	Oscar Turner,
Robert Boyd,	P. H. Leslie,	A. C. Vallandingham,
John B. Bruner,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	John W. F. Parker,	I. C. Winfrey—12.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	I. A. Spalding,
Jos. M. Alexander,	A. H. Field,	E. D. Standeford,
A. K. Bradley,	W. C. Halbert,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	Harrison Thompson,
Jno. G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb—17.
John B. Clarke,	I. T. Martin,	

Mr. Vories then moved to amend the bill as follows, viz:

Add to the second section the following proviso:

Provided, however, That the amount to which said chancellor *pro tem.* may be entitled at any time for his services shall be deducted from the salary of the regular chancellor.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carlisle and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	W. Lindsay,	W. L. Vories,
John B. Bruner,	Oscar Turner,	I. C. Winfrey—7.
P. H. Leslie,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. T. Martin,
Joseph M. Alexander,	Joseph Gardner,	John W. F. Parker,
Robert Boyd,	Evan M. Garriott,	I. A. Spalding,
A. K. Bradley,	W. C. Halbert,	E. D. Standeford,
Tho. P. Cardwell,	G. A. C. Holt,	Philip Swigert,
John G. Carlisle,	Henry C. Lilly,	H. Thompson,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb—22.
Lyttleton Cooke,		

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,

F. M. Allison,	G. A. C. Holt,	Harrison Thompson,
A. K. Bradley,	P. H. Leslie,	Oscar Turner,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay.	W. L. Vories,
John B. Clarke,	D. Y. Lyttle,	Ben. J. Webb.
Lyttleton Cooke,	I. T. Martin,	I. C. Winfrey—26.
A. H. Field,	I. A. Spalding,	

Those who voted in the negative, were—

Robert Boyd, John B. Bruner—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to prevent any practicing lawyer from acting as trustee of the jury fund in any court in which he practices law,

Reported the same with an amendment.

Mr. Parker then moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a resolution, entitled

Resolution to test the constitutionality of a certain congressional enactment therein named and jurisdiction of the United States courts thereunder.

Said resolution reads as follows, viz:

Whereas, The United States courts and authorities claim and exercise the power to arrest and imprison, and the jurisdiction to try and punish, the citizens of this Commonwealth, under an act of Congress, entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication," and passed 9th day of April, 1866; and whereas, said courts have, in several instances, tried and convicted citizens of this Commonwealth for alleged crimes and offenses charged to have been committed in violation of the State laws only, and exclusively cognizable by the State courts; and whereas, it is believed by the General Assembly of this Commonwealth that said act of Congress is unconstitutional and void, and that the Federal Court in Kentucky has not jurisdiction to try alleged offenders charged alone with a violation of the criminal or penal laws of this Commonwealth, and that said act is not applicable to such cases; therefore, be it,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and hereby is, authorized and requested to immediately take such steps as he may deem proper and necessary to test and determine if said act be constitutional; and whether, under it, the Federal Court in Kentucky can rightfully assume jurisdiction to try persons charged alone with a violation of the criminal or penal laws of Kentucky; and, to that end,

he may employ counsel, and do such other acts as he may deem necessary to accomplish the objects and purposes of this resolution and, to meet the necessary expenses, he is authorized to make his requisition upon the Auditor, who shall draw his warrant upon the Treasury for whatever sum may be incurred by him for said purpose.

The question was then taken on the adoption of said resolution and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
A. K. Bradley,	W. C. Halbert,	Harrison Thompson,
John G. Carlisle,	G. A. C. Holt,	Oscar Turner,
John B. Clarke,	W. Lindsay,	A. C. Vallandingham,
Lyttleton Cooke,	D. Y. Lytle,	W. L. Vories,
A. D. Cosby,	I. T. Martin,	Ben. J. Webb—23
A. H. Field,	I. A. Spalding,	

Those who voted in the negative, were—

F. M. Allison,	Tho. P. Cardwell,	John W. F. Parker,
Robert Boyd,	P. H. Leslie,	I. C. Wintrey—8.
John B. Bruner,	Henry C. Lilly,	

Resolved, That the title of said resolution be as aforesaid.

The Senate took up for consideration a bill to amend article 4 of chapter 3, Civil Code of Practice.

Mr. Lindsay moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Field and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	J. W. F. Parker,
Jos. M. Alexander,	W. C. Halbert,	E. D. Standeford,
F. M Allison,	G. A. C. Holt,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	A. C. Vallandingham,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
John B. Clarke,	W. Lindsay,	Ben. J. Webb,
Lyttleton Cooke,	I. T. Martin,	I. C. Wintrey—22.
Joseph Gardner,		

Those who voted in the negative, were—

A. K. Bradley,	A. H. Field,	Oscar Turner—5.
John B. Bruner,	I. A. Spalding,	

Mr. Wintrey then moved to reconsider the vote by which the Senate laid said bill on the table.

Mr. Leslie then moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration the following bills, viz:

A bill providing for the rebuilding of the offices of the Penitentiary.

A bill to improve the navigation of the South Fork of Cumberland river.

Ordered, That the 1st be made the special order of the day for to-morrow, and that the 2d be printed, and made the special order of the day for the 24th inst.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate, of the following titles, viz:

An act to amend the charter of the Glasgow railroad company.

An act to amend the charter of the Maysville and Mount Sterling turnpike road company.

Which were twice read and concurred in.

The Senate also took up for consideration a bill to establish an Insurance Department.

Mr. Turner moved an amendment to said bill.

Mr. Webb also moved an amendment.

On motion of Mr. Webb,

Ordered, That the bill, together with the proposed amendments, the report of the select committee, and the other bills pertaining to the same subject, and reported by the committee at the same time, be referred to the Committee on the Judiciary, with instructions to report thereon on the 24th inst., at 10¼ o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Swigert—

1. A bill to amend the charters of the Louisville and Frankfort and Lexington and Frankfort railroad companies.

On motion of Mr. Halbert—

2. A bill to amend article 2, chapter 84, Revised Statutes, title "Passways."

On motion of same—

3. A bill to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Vanceburg," approved February 10, 1866.

On motion of Mr. Field—

4. A bill to incorporate the Knob Creek turnpike road company.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st and 4th; the Committee on Revised Statutes the 2d, and the Committee on Circuit Courts the 3d.

The following petitions were presented, viz:

By Mr. Halbert—

The petition of citizens of Black Oak Bottom, in Lewis county, asking that persons be compelled to open ditches in said bottom.

By Mr. Lilly—

The petition of sundry male and female residents of the town of Irvine, Estill county, asking that the sale of liquors be prohibited in or within two miles of the said town.

Which petitions were received, the reading dispensed with, and referred to the Committee on Revised Statutes.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Farmers and Drovers' Bank;

An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek turnpike road company;"

An act to amend an act, entitled "An act to amend the charter of the Bardstown and Louisville railroad company," approved March 6, 1856;

An act to fix the tolls on the Green and Taylor turnpike road;

An act for the benefit of the city of Dayton, in Campbell county;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to change the place of voting in district No. 7, Floyd county;

An act to amend still further an act, entitled "An act to incorporate the Polish House of Israel;"

An act to amend an act, entitled "An act in relation to conveyances by commissioners," approved 31st of May, 1865;

An act to repeal an act for the benefit of E. J. Shipman;

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways;"

An act to charter the Marion School Association, in Crittenden county;

An act for the benefit of W. S. Hicks, late sheriff of Henderson county, and his sureties;

An act to amend the charter of Estill Station and Speedwell turnpike road company;

An act to incorporate the Two Mile turnpike road company, in Clark county;

Resolution on the death of Chas. S. Morehead;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

FRIDAY, FEBRUARY 19, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to amend the charter of the Deposit Bank of Frankfort.

An act to amend the charter of the Bank of Ashland, and to incorporate the Bank of Shelbyville.

An act to amend an act, entitled "An act to consolidate the towns of Jamestown and Brooklyn, in Campbell county, and to incorporate the city of Dayton," approved March 9, 1867.

An act to amend an act, entitled "An act to establish the Deposit Bank of Princeton, Kentucky."

An act to incorporate the Deposit Bank of Cynthiana.

An act requiring the chartered banks of this Commonwealth to make semi-annual reports of their condition.

An act to charter the Deposit Bank of Glasgow.

An act to incorporate the Deposit and Savings Bank of Lexington.

An act to incorporate the Cumberland and Ohio railway company.

With amendments to the last six named bills.

Which were taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz:

1. An act to extend the corporate limits of the town of Alexandria, in Campbell county.

2. An act to amend an act to incorporate the Bank of Russellville, approved January 2, 1865.

3. An act to amend an act, entitled "An act to incorporate the German Savings Bank, Covington."

4. An act to incorporate the German Bank of Louisville.

5 An act to amend the charter of the City Banking Company, of Campbell county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary, and the 2d, 3d, 4th, and 5th to the Committee on Banks.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Christ Episcopal Church, at Bowling Green.

An act for the benefit of Thos. B. Vinson, of Grayson county.

An act for the benefit of John L. Slavin, sheriff of Garrard county.

An act to amend the charter of Allensville.

An act to incorporate the Odd Fellows' Temple Association.

An act to require the county clerk of Meade county to have certain books rebound.

An act to repeal the court of common pleas in Calloway county, in the 1st judicial district.

An act to incorporate the Richmond Hotel Company.

An act to amend an act, entitled "An act to incorporate the Paducah, Benton, and Murray Gravel Road Company."

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Lindsay, from the Committee on County Courts—

An act to amend an act, entitled "An act to authorize the county judge of Kenton county to sell the poor-house in said county," approved February 27, 1867.

By same—

An act to amend an act, entitled "An act to amend the law in relation to the selection and payment of jail guards," passed the 9th of March, 1867, so far as Kenton county is concerned.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend an act authorizing the counties of Bourbon, Nicholas, and Fleming to take stock in the Maysville and Lexington railroad company, Northern Division.

By same—

An act to authorize the town of Carlisle, in Nicholas county, to take stock in its corporate capacity in the Maysville and Lexington railroad company.

By same—

An act to regulate the assessment of railroad tax in McCracken county.

With amendments to the last two named bills.

Which were concurred in.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled "An act to prohibit county judges from bringing suits to settle the estates of deceased persons," approved February 11th, 1867,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to prohibit county judges from bringing suits to settle the estates of deceased persons," approved February 11th, 1867, is hereby repealed.

§ 2. This act to take effect from and after its passage.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Jno. G. Carlisle,	Henry C. Lilly,
F. M. Allison,	A. D. Cosby,	John W. F. Parker,
Robert Boyd,	Evan M. Garriott,	I. A. Spalding,
John B. Bruner,	W. C. Halbert,	Philip Swigert—12.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	Harrison Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
John B. Clarke,	P. H. Leslie,	W. L. Vories,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb,
A. H. Field,	E. D. Standeford,	I. C. Winfrey—15.

So said bill was disagreed to.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Kentucky River Navigation Company."

An act to incorporate the Farmers and Drovers' Bank.

An act to amend an act, entitled "An act to incorporate the Vanceburg, Dry Run, and Kinniconick turnpike road company."

An act to amend an act, entitled "An act to incorporate the Concord and Tollsboro turnpike road company."

An act to incorporate the Vanceburg, Quincy, and Springville turnpike road company.

An act to fix the tolls on the Green and Taylor turnpike road.

An act for the benefit of the city of Dayton, in Campbell county.

An act to amend an act, entitled "An act to incorporate the Mount Sterling and Spencer Creek turnpike road company."

Resolution in regard to the reports of the Auditor and Treasurer.

Mr. Carlisle, from the Committee on the Judiciary, reported a bill for the benefit of common schools.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an additional tax of two dollars shall be levied upon every white male inhabitant of this State over the age of twenty-one years in this Commonwealth for the support of common schools.

§ 2. That the several sheriffs of this Commonwealth shall collect the tax provided for in the first section of this act in the same manner and subject to the same penalties as now provided by law for the collection of the revenue of the State.

§ 3. That said tax shall not be levied until the question of levying the same shall have been submitted to the qualified voters of the State and approved by a majority of those voting thereon; and it shall be the duty of the officers of election at the August election, 1869, to open a poll at each voting place, for the purpose of ascertaining the sense of the qualified voters upon the said question. One column of the poll-book shall be headed, "For the common school capitation tax," and one shall be headed, "Against the common school capitation tax;" and the question shall be distinctly propounded to each voter, "Are you for or against the proposed tax of two dollars on each white male inhabitant of the State over twenty-one years old in aid of common schools?" and the answer of the voter shall be recorded in the proper column. The said poll shall be compared in each county, and the number of votes cast for and against the said tax shall be certified to the Secretary of State, at Frankfort, as is provided in sections one and five of chapter thirty-two of the Revised Statutes.

§ 4. That the board of examiners provided for by the sixth section of said chapter thirty-two shall examine the said returns, and cause a statement of the vote to be published as required by the third subdivision of said section. If a majority of all the votes cast shall be in favor of said tax, it shall be the duty of the Governor immediately to declare the same by proclamation, and, thereafter, the first and second sections of this act shall be in full force and effect.

§ 5. The duties, liabilities, and responsibilities of the officers conducting said election shall be the same as now provided by law; and all laws now in force for the prevention and punishment of illegal voting shall be applicable to the said election.

Mr. Gardner then moved to amend said bill by striking out two dollars, the amount of the capitation tax, and inserting in lieu thereof one dollar and fifty cents.

Mr. Parker moved to amend by inserting one dollar as the capitation tax, instead of two, as provided by the bill.

The question was then taken, "Shall the words two dollars stand as part of the bill?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thompson and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Evan M. Garriott,	E. D. Standeford,
Jos. M. Alexander,	G. A. C. Holt,	Philip Swigert,
A. K. Bradley,	P. H. Leslie,	H. Thompson,
John G. Carlisle,	W. Lindsay,	Oscar Turner,
John B. Clarke,	I. T. Martin,	A. C. Vallandingham,
Lyttleton Cooke,	I. A. Spalding,	Ben. J. Webb—19.
A. D. Cosby,		

Those who voted in the negative, were—

F. M. Allison,	Joseph Gardner,	D. Y. Lyttle,
Robert Boyd,	W. C. Halbert,	John W. F. Parker,

John B. Bruner, Henry C. Lilly, I. C. Winfrey—10.
Tho. P. Cardwell,

Ordered, That said bill be engrossed and read a third time.

Mr. Lindsay then moved to reconsider the vote by which said bill had been ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thompson and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Henry C. Lilly,
Joseph M. Alexander,	Joseph Gardner,	W. Lindsay,
F. M. Allison,	Evan M. Garriott,	D. Y. Lyttle,
Robert Boyd,	G. A. C. Holt,	John W. F. Parker,
John B. Bruner,	P. H. Leslie,	I. C. Winfrey—16.
Tho. P. Cardwell,		

Those who voted in the negative, were—

A. K. Bradley,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	I. T. Martin,	Oscar Turner,
John B. Clarke,	I. A. Spalding,	A. C. Vallandingham,
Lyttleton Cooke,	E. D. Standeford,	W. L. Vories,
A. H. Field,	Philip Swigert,	Ben. J. Webb—15.

The question was then taken on reconsidering the vote refusing to strike out the words "two dollars," and it was decided in the affirmative.

The question was then taken on striking out the words "two dollars," and it was decided in the affirmative.

The question was then taken on filling the blank with "one dollar and fifty cents," and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Carlisle and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	J. W. F. Parker,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
Robert Boyd,	W. C. Halbert,	Philip Swigert,
A. K. Bradley,	G. A. C. Holt,	Harrison Thompson,
Tho. P. Cardwell,	P. H. Leslie,	Oscar Turner,

John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
John B. Clarke,	W. Lindsay,	W. L. Vories,
Lyttleton Cooke,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	I. C. Winfrey—30.

In the negative—J. B. Bruner.

Resolved, That the title of said bill be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

1. A bill to amend the charter of the town of Brookville, in Bracken county.

By same—

2. A bill to amend an act, entitled "An act to incorporate the Capital Mutual Life Insurance Company," approved February 17, 1866.

By Mr. Swigert, from the Committee on Internal Improvement—

3. A bill to amend the charters of the Lexington and Frankfort and Louisville and Frankfort railroad companies.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

4. A bill repealing all acts or parts of acts authorizing the trustees of the town of Winchester to grant coffee-house license.

By Mr. Gardner, from the same committee—

5. A bill to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 3d was made the special order of the day for to-morrow; the 5th was referred to the Committee on the Judiciary, and the 1st, 2d, and 4th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill to pay military claims audited by the Quarter-Master General.

Said bill was then amended.

Ordered, That the further consideration of said bill be postponed until to-morrow, at 10½ o'clock, A. M.

Leave of absence was granted to Mr. Speaker Johnson until Tuesday next.

The Senate took up for consideration a bill providing for the rebuilding of the offices of the Penitentiary.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of nine thousand five hundred dollars be, and the same is hereby, appropriated for the rebuilding of the front and back entrance, and for the rebuilding, in part, of the office of the Penitentiary.

§ 2. That the Governor is hereby authorized to appoint five commissioners, who are hereby empowered to contract for the execution of the work contemplated by this and the former section of this act, in accordance with the plans and specifications to be submitted to them, and which they may adopt, having a due regard to economy and durability of work. They may select a competent architect to superintend the erection of said work; but said commissioners shall, in no event, exceed the amount herein appropriated, in making their contract. They may contract with the keeper, or any other person or persons: *Provided, however*, That the commissioners appointed by this act shall be required to advertise in two newspapers published in Frankfort, two in Louisville, and two in Lexington, for thirty days, for sealed proposals for said work, to be opened at an hour mentioned in said advertisement, and the work shall be let to the lowest and best bidder. The cut stone and other material of which the office is built, which stands in the prison yard, may be used in the construction of the front office, or so much of it as the commissioners may deem proper; that if any other than the lessee shall be the contractor for said work, he shall have the right of ingress and egress for himself and such hands as he may employ on said work.

§ 3. That said commissioners are hereby authorized to issue certificates to the Auditor in favor of the contractor for such sums as will pay not more than ninety per cent. for work done as it progresses, at such time as they may deem proper; but at no time shall they issue any certificates for work not done.

§ 4. Upon the receipt of any of the certificates provided for in the third section of this act, it shall be the duty of the Auditor to draw his warrant upon the Treasurer for the sum corresponding with such certificate, to be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That if the keeper shall contract to do the said work, or any part of it, he shall have credit for the work so done by him as it progresses, upon the rents due from him to the State so far, under the restrictions and limitations provided for in the third section of this act.

§ 5. That this act shall be in force from its passage.

Mr. Vallandingham moved to amend the bill by striking out the words "nine thousand dollars."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. D. Cosby,	Oscar Turner,
F. M. Allison,	W. C. Halbert,	A. C. Vallandingham,
Robert Boyd,	G. A. C. Holt,	W. L. Vories,
A. K. Bradley,	Henry C. Lilly,	I. C. Winfrey—14.
Tho. P. Cardwell,	W. Lindsay,	

Those who voted in the negative, were—

Mr. Speaker (Johnson),	Evan M. Garriott,	I. A. Spalding,
John B. Bruner,	P. H. Leslie,	E. D. Standeford,
John G. Carlisle,	D. Y. Lyttle,	Philip Swigert,
John B. Clarke,	I. T. Martin,	H. Thompson,
Lyttleton Cooke,	John W. F. Parker,	Ben. J. Webb—16.
Joseph Gardner,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Joseph Gardner,	John W. F. Parker,
John B. Bruner,	Evan M. Garriott,	E. D. Standeford,
John G. Carlisle,	P. H. Leslie,	Philip Swigert,
John B. Clarke,	D. Y. Lyttle,	Harrison Thompson,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb—15.

Those who voted in the negative, were—

Jos. M. Alexander,	W. C. Halbert,	Oscar Turner,
F. M. Allison,	G. A. C. Holt,	A. C. Vallandingham,
Robert Boyd,	Henry C. Lilly,	W. L. Vories,
A. K. Bradley,	W. Lindsay.	I. C. Winfrey—14.
A. D. Cosby,	I. A. Spalding,	

So said bill was rejected.

Mr. Lilly moved to reconsider the vote by which said bill had been rejected.

Which motion was only entered.

On motion of Mr. Field, a message was sent to the House of Representatives, asking leave to withdraw the announcement of the passage of a bill by the Senate, entitled

An act in relation to the New Orleans and Ohio railroad company and others.

After a short time, said bill was handed in at the Clerk's desk.

Said bill was then taken up.

And the question being taken on reconsidering the vote by which the Senate had passed said bill, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Clarke—

1. A bill to increase the county levy of Grant county.

On motion of same—

2. A bill to incorporate the Augusta and Berlin turnpike road company, in Bracken county.

On motion of Mr. Leslie—

3. A bill for the benefit of the Widows and Orphans' Friend Life Insurance Company, of Nashville, Tennessee.

On motion of Mr. Cosby—

4. A bill to incorporate the Henderson and Hartford railroad company.

Ordered, That the Committee on County Courts prepare and bring in the 1st; the Committee on Internal Improvement the 2d; the Committee on Finance the 3d, and the Committee on the Judiciary the 4th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Maysville and Mount Sterling turnpike road company;

An act for the benefit of the Clark County Institute;

An act to amend the charter of the Green River Female College;

An act to organize Urania school district, in Barren county;

An act for the benefit of school district No. 13, in Franklin county;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the election of a chancellor of the Louisville chancery court when the chancellor is absent or interested in a case;

An act to amend the charter of the town of Lebanon, in Marion county;

An act applying the general mechanics' lien law to Taylor and Green counties;

An act for the benefit of the trustees of Providence Church, in the county of Mercer;

An act for the benefit of Benjamin F. Jameson, former sheriff of Hart county;

An act for the benefit of Isom Johnson, sheriff of Henderson county;

An act to amend an act, entitled "An act to incorporate the Louisville Bridge Company," approved February 19, 1861;

Resolution providing for a recess and for firing salute on the 22d February;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Martin offered the following resolution, viz:

Resolved, That a committee of two shall be appointed by the Speaker of the Senate to investigate the condition of the Commercial Bank of Kentucky, and ascertain how the affairs of said bank have been managed since the first day of January, 1860; what profits have been made, if any, and how made; what losses, if any, have been sustained, and the cause thereof; and whether or not the provisions of its original and amended charters have been complied with. Said committee shall have power to sit during the vacation of the General Assembly, to send for persons and papers, to administer oaths, and to employ a competent accountant, and shall report to the next session of the General Assembly.

Which was twice read and adopted.

And then the Senate adjourned.

SATURDAY, FEBRUARY 20, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to authorize the State Treasurer to purchase for the use of his office a fire and burglar-proof safe.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Clark and Montgomery turnpike road company.

An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson.

An act directing the Commissioners of the Sinking Fund to lease the improvements of the Kentucky river.

With amendments to the last two named bills.

The amendments to the last of which were taken up, twice read, and concurred in.

That they had passed bills and adopted a resolution, of the following titles, viz:

1. An act requiring actions to be brought against certain persons indebted to the Commonwealth.

2. An act to incorporate the Deposit Bank of Hopkinsville.

3. An act to incorporate the North Middletown Deposit Bank.

4. An act to incorporate the Warsaw Deposit Bank, at Bowling Green, Kentucky.

5. An act to amend an act approved 9th March, 1867, entitled "An act to incorporate the Bourbon Bank."

6. An act authorizing certain officers to reside temporarily at or in the vicinity of the Seat of Government, without changing or losing their former legal and permanent residence.

7. Resolution in regard to the public offices and officers of this Commonwealth.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st and

6th to the Committee on the Judiciary; the 2d, 3d, 4th, and 5th to the Committee on Banks, and the 7th to the Committee on Finance.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. A. Ronald, late sheriff of Jefferson county.

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

An act to change the place of voting in district No. 7, Floyd county.

An act to amend still further an act, entitled "An act to incorporate the Polish House of Israel."

An act to amend an act, entitled "An act in relation to conveyances by commissioners," approved 31st of May, 1865.

An act to repeal an act for the benefit of E. J. Shipman.

An act for the benefit of Elijah Litton, late sheriff of Whitley county.

An act to incorporate the Two Mile turnpike road company, in Clark county.

An act providing for suit against certain persons for trespassing on the property of the State.

An act for the benefit of W. S. Hicks, late sheriff of Henderson county, and his sureties.

An act to amend the charter of the town of Catlettsburg.

An act to repeal an act, entitled "An act to increase the jurisdiction of the quarterly court of Henry county in criminal and penal causes," approved 7th of March, 1868.

An act to amend an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26, 1868.

An act to amend the charter of Estill Station and Speedwell turnpike road company.

An act to charter the Marion School Association, in Crittenden county.

Resolution on the death of Chas. S. Morehead.

The following petitions were presented, viz:

By Mr. Boyd—

The petition of the ladies of Manchester, praying the passage of a law prohibiting the sale of liquors in said town.

By Mr. Alexander—

The petition of J. T. Sellard, praying the passage of an act against empiricism.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on the Judiciary.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Cooke, from the Committee on the Judiciary—

A bill to amend an act to incorporate the Mount Carmel and Fox Spring turnpike road company.

By Mr. Bradley, from the Committee on Revised Statutes—

A bill to prohibit the sale or vending or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof.

By same—

A bill to amend an act, entitled "An act to incorporate the town of Mayslick," approved February 1st, 1839.

By Mr. Martin, from the Committee on Banks—

A bill to incorporate the Deposit Bank of Murray.

By Mr. Lindsay, from the Committee on County Courts—

A bill to empower the court of claims of Grant county to increase the county levy.

By same—

A bill to empower the Pulaski county court to levy a tax to build a jail.

By same—

A bill to establish an additional justices' district in Adair county.

By same—

A bill to fix the fees of police judges in certain cases.

By Mr. Webb, from the Committee on Education—

A bill for the benefit of R. B. Gardner.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cooke, from the Committee on Banks—

An act to amend an act to incorporate the Bank of Russellville, approved January 2, 1865.

By same—

An act to amend the charter of the City Banking Company, of Campbell county.

By same—

An act to amend an act, entitled "An act to incorporate the German Savings Bank, Covington."

By Mr. Bruner, from the Committee on Revised Statutes—

An act to amend an act, entitled "An act for the benefit of the towns of Marion and Birmingham."

By Mr. Boyd, from the Committee on County Courts—

An act to amend an act authorizing and empowering county courts to create additional justices' districts, establish voting precincts in such districts, and fix the boundary lines and places of voting therein, approved March 7th, 1868.

By same—

An act for the benefit of Madison county.

By same—

An act to authorize the Greenup county court to levy an ad valorem tax for the payment of certain bonds therein mentioned.

By same—

An act to change the time of holding the quarterly court in Fleming county.

By same—

An act to amend an act approved 5th February, 1868, entitled "An act to amend an act approved 18th February, 1865, to empower the county court of Bath county to make subscription to the capital stock of turnpike roads."

By Mr. Lindsay, from the same committee—

An act to empower the county court of Bath to submit to the voters thereof a proposition to take stock in turnpikes, and to make valid an order therefor made by said court.

By same—

An act to authorize the Marshall county court to change the State road leading from Columbus to Hopkinsville.

By Mr. Webb, from the Committee on Education—

An act to incorporate the Vaughn Female Academy, at Owensboro.

By same—

An act to incorporate the Standford Female Seminary.

By same—

An act for the benefit of school district No. 20, in Simpson county.

By same—

An act to amend the charter of the Female Literary and Benevolent Institution, of Loretto, Marion county.

By same—

An act for the benefit of the colored school of Lebanon.

By same—

An act to change the boundary of school district No. 47, in Washington county, and 48, in Marion county.

By same—

An act to charter the Crittenden Seminary.

By same—

An act to incorporate the Pleasant Spring High School, in Daviess county.

By same—

An act to charter the Horse Cave High School, in Hart county.

By same—

An act to consolidate school districts Nos. 18 and 19, in Kenton county.

By same—

An act for the benefit of the common schools of the city of Newport.

By same—

An act concerning school trustees of Paducah.

By same—

An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax."

By same—

An act for the benefit of school district No. 10, in Clinton county.

By same—

An act for the benefit of common school district No. 63, in Lawrence county.

By same—

An act for the benefit of school district No 13, in Lawrence county

By Mr. Cooke, from the Committee on Banks—

An act to incorporate the German Bank of Louisville.

By Mr. Boyd, from the Committee on County Courts—

An act to compensate jurors in justices', police, and quarterly courts in the county of Kenton.

With amendments to the last two named bills.

Which were concurred in.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Webb, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of school district No. 29, in Clinton county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Cooke, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to amend article 3 of chapter 48 of the Revised Statutes," approved October 31, 1861, and to regulate the number of the Board of Managers of the Eastern Lunatic Asylum of Kentucky, and fix the mode of their appointment, and their terms of office,

Reported the same without amendment.

Mr. Leslie moved to postpone the further consideration of said bill until Wednesday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Tho P. Cardwell,	Philip Swigert,
Robert Boyd,	A. D. Cosby,	I. C. Wintrey—8.
John B. Bruner,	P. H. Leslie,	

Those who voted in the negative, were—

Jos. M Alexander,	Evan M. Garriott,	I. T. Martin,
A. K. Bradley,	G. A. C. Holt,	I. A. Spalding,
John G. Carlisle,	Henry C. Lilly,	H. Thompson,
John B. Clarke,	W. Lindsay,	Oscar Turner,
Lyttleton Cooke,	D. Y. Lyttle,	Ben. J. Webb—16
Joseph Gardner,		

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to amend article 3, of chapter 48, of the Revised Statutes," approved October 3d, 1861, be, and the same is hereby, repealed.

§ 2. That, from and after the 1st of March, 1869, there shall be seven Managers of the Eastern Lunatic Asylum of Kentucky, who shall be appointed by the Governor and confirmed by the Senate, in the room and stead of the present Board of Managers of said Institution, and shall have all the powers, and perform all the duties, and be subject to all the responsibilities now prescribed by law for the Board of Managers of said Institution. The term of their said office shall commence on the 1st day of March, 1869, and shall be for four years, but two of said Managers, so first appointed, shall go out of office at the end of the first year after their appointment, two of them shall go out of office at the end of the second year, two of them shall go out of office at the end of the third year, and one of them shall go out of office at the end of the fourth year; and they shall, on going into office, arrange by lot which of them shall so go out of office at the end of the respective years as aforesaid; but they may be reappointed by the Governor if he deems proper; and it shall go on in that way, so many, as above, going out of office at the end of every year, their places to be filled by appointment of the Governor and confirmation of the Senate; but vacancies may be filled by the Governor, in the recess of the Senate, until the end of its next session. Incumbents at any time shall hold their office until a successor is appointed and qualified. Five shall constitute a quorum.

§ 3. All acts and parts of acts inconsistent with this act are hereby repealed.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	I. T Martin,
F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
A. K. Bradley,	G. A. C. Holt,	Harrison Thompson,
John G. Carlisle,	P. H. Leslie,	Oscar Turner,
John B. Clarke,	W. Lindsay.	Ben. J. Webb,
Lyttleton Cooke,	D. Y. Lyttle,	I. C. Winfrey—18.

Those who voted in the negative, were—

Robert Boyd,	Tho. P. Cardwell,	Henry C. Lilly,
John B. Bruner,	A. D. Cosby,	Philip Swigert—6.

Resolved, That the title of said bill be as aforesaid.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

Executive Department,
Frankfort, Ky., February 20, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

George W Hurt, of Clinton county.
R. M. Burdett, of Garrard county.
Geo. H. McKinney, of Lincoln county.
J. C. Wickliffe, of Nelson county.
S. E DeHaven, of Oldham county.
R. A. Burnett, of Trigg county.
James Burns, of Jefferson county.
W. O. Watts, of Jefferson county.
S. S. Meddis, of Jefferson county.
John C. Latham, of Christian county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The Senate took up for consideration a bill to amend the charters of the Lexington and Frankfort and Louisville and Frankfort railroad companies.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley moved to take up the resolution from the House of Representatives in relation to a final adjournment of the Legislature.

And the question being taken thereon, it was decided in the negative, two thirds not having voted therefor.

The yeas and nays being required thereon by Messrs. Bradley and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

F. M Allison,	John B. Clarke,	D. Y. Lyttle,
Robert Boyd,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,

John B. Bruner,	P. H. Leslie,	W. L. Vories,
Tho. P. Cardwell,	W. Lindsay,	I. C. Winfrey—15.

Those who voted in the negative, were—

Jos. M. Alexander,	A. D. Cosby,	I. T. Martin,
John G. Carlisle,	Evan M. Garriott,	Philip Swigert,
Lyttleton Cooke,	Henry C. Lilly,	Ben. J. Webb—9.

The Senate took up for consideration the following bills, viz:

A bill to pay military claims audited by the Quarter-Master General.

A bill to improve the navigation of the South Fork of the Cumberland river.

Ordered, That the further consideration of said bills be postponed until Thursday, the 25th inst.

Mr. Alexander read and laid on the table a joint resolution in relation to the printing of the Report of the Regent of the Agricultural and Mechanical College of Kentucky.

Said resolution was placed in the orders of the day.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lyttle—

1. A bill for the benefit of common school district No. 68, in Harlan county.

On motion of same—

2. A bill for the benefit of John Griffin, of Clay county.

On motion of same—

3. A bill for the benefit of salt manufacturers in Clay county.

On motion of same—

4. A bill for the benefit of Josh Bell county.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on the Judiciary the 2d; the Committee on Internal Improvement the 3d, and the Committee on Propositions and Grievances the 4th.

And then the Senate adjourned.

TUESDAY, FEBRUARY 23, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend the charter of the Covington and Cincinnati Bridge Company.

That they had concurred in the amendments proposed by the Senate to bills from the House of Representatives, of the following titles, viz:

An act to charter the Metropolis and Union City railroad company.

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts concerning the town of Lagrange," approved 3d of March, 1868.

An act to amend an act, entitled "An act to protect graves and graveyards," approved March 9, 1854.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties.

An act to regulate the assessment of railroad tax in McCracken county.

That they had passed a bill from the Senate, entitled

An act to incorporate the Blue Lick turnpike road company

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act to charter the Murray and Pine Bluff turnpike or gravel road company, in Calloway county.

2. An act to create an additional magistrates' district and voting precinct in Christian county.

3. An act for the benefit of James Bartley, late sheriff of Monroe county, and his securities.

4. An act to authorize the Montgomery county court to levy an ad valorem tax to aid the Mt. Sterling and Spencer turnpike company, in said county, in paying for a bridge over Slate creek.

5. Resolution to print Report of Regent of Kentucky University.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st to the Committee on Internal Improvement; the 2d and 4th to the Committee on County Courts, and the 3d and 5th to the Committee on Finance.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Vories, from the Committee on Education—

A bill for the benefit of certain school districts in Barren and Allen counties.

By Mr. Turner, from the Committee on Executive Affairs—

A bill to repeal an act, entitled "An act to amend an act, entitled 'An act to amend section 1, article 3, chapter 32, title 'Elections,' of the Revised Statutes,' approved February 11, 1858," approved March 15, 1862.

By Mr. Leslie, from the Committee on Finance—

A bill for the benefit of Robert Riddell, jr.

By same—

A bill for the benefit of W. O. Newman, &c.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill to authorize the Auditor to employ counsel for the State.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and instructed to employ an attorney to represent the interest of the State in the case of the First National Bank of Louis-

ville against the Commonwealth of Kentucky, now pending upon appeal in the Supreme Court of the United States.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	I. T. Martin,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
Robert Boyd,	W. C. Halbert,	Philip Swigert,
Tho. P. Cardwell,	G. A. C. Holt,	Harrison Thompson,
John G. Carlisle,	O. P. Johnson,	A. C. Vallandingham,
Lyttleton Cooke,	P. H. Leslie,	W. L. Vories,
A. D. Cosby,	Henry C. Lilly,	Ben. J. Webb,
Wm. A. Dudley,	D. Y. Lyttle,	I. C. Winfrey—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill to amend chapter 48, article 2, section 2, and chapter 16, article 6, section 8, of the Revised Statutes.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That chapter 48 of the Revised Statutes, article 2, section 2, be so amended as to read thus: Nor shall the amount thus drawn exceed the sum of one hundred dollars for each idiot in any one year, and according to that rate for a less term.

§ 2. That chapter 16 of the Revised Statutes, article 6, section 8, be so amended as to read thus: To the committee of an idiot, by order of a circuit court, for his maintenance and support for one year, a sum not exceeding one hundred dollars.

§ 3. This act to take effect from its passage.

Mr. Dudley then moved to amend said bill as follows, viz:

Add to the bill the following:

That the provisions of this bill shall apply only to such pauper idiots as shall have attained the age of sixteen years, and as to all such under that age the law shall remain as heretofore.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	John G. Carlisle,	Wm. A. Dudley,
John B. Bruner,	Lyttleton Cooke,	I. A. Spalding—6.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	Philip Swigert,
Joseph M. Alexander,	W. C. Halbert,	H. Thompson,
F. M. Allison,	G. A. C. Holt,	Oscar Turner,
Robert Boyd,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
A. D. Cosby,	Henry C. Lilly,	Ben. J. Webb,
A. H. Field,	D. Y. Lyttle,	I. C. Winfrey—23.
Joseph Gardner,	E. D. Standeford,	

Mr. Lyttle then moved to amend the bill as follows, viz:

Add to the bill the following:

That from and after the passage of this act it shall be the duty of the circuit judges in the several districts of Kentucky to cause to be found by juries whether the idiots in their districts under the age of sixteen are idiots or are only feeble-minded children; and if the child is found to be only feeble-minded, the child may be sent to the Feeble-minded Institute, under the same regulations that feeble-minded children are now sent to the Feeble-minded Institute.

And the question being taken thereon, it was decided in the negative.

Mr. Field then moved to amend said bill as follows, viz:

Strike out "one hundred dollars" wherever it occurs, and insert in lieu thereof "seventy-five dollars."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	Wm. A. Dudley,	D. Y. Lyttle,
John B. Bruner,	A. H. Field,	Oscar Turner—8.
John G. Carlisle,	W. Lindsay,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	E. D. Standeford,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
F. M. Allison,	G. A. C. Holt,	H. Thompson,
Robert Boyd,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
Lyttleton Cooke,	Henry C. Lilly,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	I. C. Winfrey—23.
Joseph Gardner,	I. A. Spalding,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Evan M. Garriott,	I. A. Spalding,
Jos. M. Alexander,	W. C. Halbert,	E. D Standeford,
F. M. Allison,	G. A. C. Holt,	Philip Swigert,
Robert Boyd,	O. P. Johnson,	Harrison Thompson,
Tho. P. Cardwell,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
A. D. Cosby,	W. Lindsay,	W. L. Vories,
A. H. Field,	D. Y. Lyttle,	Ben. J. Webb,
Joseph Gardner,	I. T. Martin,	I. C. Winfrey—27.

Those who voted in the negative, were—

A. K. Bradley, Wm. A. Dudley—2.

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Lexington and Virginia railroad company.

An act for the benefit of school district No. 13, in Franklin county.

An act to amend the charter of the Green River Female College.

An act for the benefit of the Clark County Institute.

An act to amend the charter of the Maysville and Mount Sterling turnpike road company.

An act to organize Urania school district in Barren county.

An act for the benefit of James A. Ward, late sheriff of Johnson county.

Mr. Leslie, from the Committee on Finance, asked to be discharged from the further consideration of the following petitions, which had been referred to them, viz:

The petition of sundry citizens of Clinton county, asking that J. J. Wood, sheriff of said county, be released from certain liabilities.

The petition of 186 citizens of Breckinridge county in behalf of Harrison Lay.

Which was granted.

Mr. Webb, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of school districts Nos. 19, 38, 50, 58, 61, 18, and 26, in Lawrence county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the commissioner of common school districts for Lawrence county be, and he is hereby, allowed to make his report for school districts Nos. 38, 19, 50, 58, 61, 18, and 26, in Lawrence county, for the year 1862, to the Superintendent of Public Instruction, and when said report shall be made as required by law, the Superintendent of Public Instruction will transmit a copy of the same to the Auditor, whereupon the Auditor shall draw his warrant upon the Treasurer in favor of the common school commissioner of Lawrence county for the amounts due districts Nos. 38, 19, 50, 58, 61, 18, and 26, in Lawrence county, for the year 1862, as shown by the report herein authorized to be made, to be paid out of any surplus money belonging to Lawrence county; and if there be no such surplus, then to be paid out of the bond fund for Lawrence county.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	Evan M. Garriott,	Philip Swigert,
Robert Boyd,	W. C. Halbert,	H. Thompson,
A. K. Bradley,	G. A. C. Holt,	A. C. Vallandingham,
Tho. P. Cardwell,	O. P. Johnson,	W. L. Vories,
John G. Carlisle,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	Henry C. Lilly,	I. C. Winfrey—26.
Wm. A. Dudley,	I. T. Martin,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Webb, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of school districts Nos. 3 and 19, of Lawrence county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the following bills, viz:

A bill to punish certain trespasses in the counties of Kenton, Campbell, and Jefferson.

A bill to amend the charter of the city of Covington.

A bill for the benefit of John Gilbert, jr.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate also took up for consideration a bill for the benefit of the Estill county court.

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is directed to draw his warrant on the Treasurer, payable to the order of the Estill county court, for the sum of four hundred and twenty-five dollars and twenty-five cents, to be paid out of any money not otherwise appropriated, that being the amount said county paid her jailer for keeping Samuel Murray, Howard Winkle, and Mary Ann McKinley, three lunatics that had to be kept in confinement, when they could not be got into an asylum.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	W. C. Halbert,	E. D. Standeford,
Jos. M. Alexander,	G. A. C. Holt,	Philip Swigert,
F. M. Allison,	O. P. Johnson,	Harrison Thompson,
A. K. Bradley,	P. H. Leslie,	Oscar Turner,
John B. Bruner,	Henry C. Lilly,	A. C. Vallandingham,
Tho. P. Cardwell,	W. Lindsay,	W. L. Vories,
Jno. G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb,
Joseph Gardner,	I. T. Martin,	I. C. Winfrey—26.
Evan M. Garriott,	I. A. Spalding,	

In the negative—none.

***Resolved*, That the title of said bill be as aforesaid.**

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate, of the following titles, viz:

An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson.

An act to protect small birds and game in Lewis county.

Which were twice read and concurred in.

The Senate took up for consideration a bill requiring the Louisville and Nashville railroad company to pay for stock they negligently kill or damage on said road.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Louisville and Nashville railroad company shall pay full damages to the owners of all horses and other stock they may negligently or carelessly kill or damage, by their cars or agents, along said road or its branches, within said Commonwealth.

§ 2. That the killing or damaging of any horses or other stock by the cars along said road or branches shall be *prima facie* evidence of carelessness and negligence of said company.

§ 3. This act to take effect from and after its passage.

Mr. Cooke moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	E D. Standeford,
Robert Boyd,	Wm. A. Dudley,	Philip Swigert,
John B. Bruner,	D. Y. Lyttle,	Ben. J. Webb—10.
Jno. G. Carlisle,		

Those who voted in the negative, were—

Jos. M. Alexander,	Evan M. Garriott,	I. T. Martin,
F. M. Allison,	W. C. Halbert,	Harrison Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	A. C. Vallandingham,
A. D. Cosby,	P. H. Leslie,	W. L. Vories,
A. H. Field,	W. Lindsay,	I. C. Winfrey—18.

Mr. Cooke then moved to amend the bill as follows, viz:

Amend the first section, line two, by striking out the words "the Louisvile and Nashville railroad company," and insert in lieu thereof the words "all railroad companies in this Commonwealth."

Which was adopted.

Mr. Speaker Johnson then moved to amend said bill as follows, viz:

Add to the bill the following additional section, viz:

All persons who shall permit their stock to run upon any of the railroads in this Commonwealth shall be liable to said company and passengers for all damage resulting therefrom without negligence of the company or its employees.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Joseph Gardner,	E. D. Standeford,
Jno. G. Carlisle,	Henry C. Lilly,	Philip Swigert,
Lyttleton Cooke,	D. Y. Lyttle,	Ben. J. Webb—10.
Wm. A. Dudley,		

Those who voted in the negative, were—

Jos. M. Alexander,	A. H. Field,	I. T. Martin,
F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
Robert Boyd,	W. C. Halbert,	Harrison Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—21.

Ordered, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative, two thirds of the Senators voting not having voted therefor.

The yeas and nays being required thereon by Messrs. Lyttle and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M Alexander,	Evan M. Garriott,	I A. Spalding,
F. M. Allison,	W. C. Halbert,	Harrison Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—20.
A. H. Field,	I. T. Martin,	

Those who voted in the negative, were—

Mr. Speaker (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Philip Swigert,
John G. Carlisle,	Henry C. Lilly,	Ben. J. Webb—11.
Lyttleton Cooke,	D. Y. Lyttle,	

Ordered, That the further consideration of said bill be postponed until to-morrow, at 10½ o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Halbert—

1. A bill to incorporate the London, Grayson, and Ohio River railroad company.

On motion of same—

2. A bill to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company."

On motion of Mr. Dudley—

3. A bill to amend the law in relation to vagrancy.

On motion of Mr. Speaker (Johnson)—

4. A bill to incorporate the Spencer County Mutual Insurance Company.

On motion of Mr. Boyd—

5. A bill for the benefit of Maria Moore, of Laurel county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st and 2d; the Committee on the Judiciary the 3d and 4th, and the Committee on Finance the 5th.

Mr. Alexander presented the petition of sundry citizens, asking a reduction of tolls on the Cynthiana and Leesburg turnpike road.

Which was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Deposit Bank of Frankfort;

An act to amend the charter of the Covington and Cincinnati Bridge Company;

An act to incorporate the Clark and Montgomery turnpike road company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to establish two additional justices' districts in Mason county," approved January 13th, 1868, and the act amendatory thereof, approved March 5th, 1868;

An act authorizing the county judge of Green county to levy a tax to repair the court-house of Green county;

An act for the benefit of the sureties of B. W. Cleaver, late sheriff of Grayson county, in his revenue bond for 1866;

An act for the benefit of the Richmond and Big Hill turnpike road company;

An act to amend the charter of the Richmond and Barnes' Mill turnpike road company;

An act to incorporate the Richmond, Union, and Kentucky River turnpike road company;

An act for the benefit of the Cincinnati, Lexington, and East Tennessee railroad company;

An act for the benefit of the Mt. Sterling and Owingsville turnpike road company;

An act to incorporate the Flemingsburg and Mouth of Fox turnpike road company;

An act to incorporate the Olympian Springs and Slate Bridge turnpike road company;

An act to repeal section 9 of an act, entitled "An act to incorporate the Mount Carmel and Fox Springs turnpike road company, and to levy a tax to aid in building said road;"

An act to amend the charter of the Shelbyville and Louisville turnpike road company;

An act to incorporate the Doyle's Lane and Wilsonville turnpike road company;

An act for the benefit of the Clark and Bourbon turnpike road company;

An act to amend the charter of the Burlington and Florence turnpike road company;

An act to amend the charter and supplemental and amended charter of the Harrodsburg and Cornishville turnpike;

An act declaring Clark's river a navigable stream;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Cooke moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be instructed to furnish the Senate with a list of the foreign insurance companies doing business in this Commonwealth which are in arrears for taxes due the Commonwealth, and the amount due from such companies respectively; also, the length of time any such companies have been neglecting and failing to pay their taxes, and the name or names of the agent or agents representing the same.

Which was adopted.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 24, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the administrator of James T. Ware, late clerk of the Harrison circuit court.

An act for the benefit of Samuel Haycraft, late clerk of the Hardin circuit court.

An act to amend an act, entitled "An act to regulate the office of commissioner and receiver of the Louisville chancery court."

An act for the benefit of T. G. Poore, late clerk of the Hickman circuit court.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the road laws so far as the counties of Hickman and Ballard are concerned.

An act changing the time of holding the Bullitt circuit court.

An act for the benefit of Fleming Solmans, of Carter county.

An act enlarging the powers of the Metcalfe county court.

An act for the benefit of John D. Secrest, of Fleming county.

An act to authorize the county court of Butler county to issue bonds to build a jail and repair the court-house.

An act creating a special term of the Bullitt circuit court for the trial of equity causes and motions not requiring the intervention of a jury.

An act amending an act authorizing the county courts to subscribe stock in turnpike roads, and for the benefit of Harrison county.

With an amendment to the last named bill.

That they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to authorize the town of Carlisle, in Nicholas county, to take stock in its corporate capacity in the Maysville and Lexington railroad company.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution,

which originated in the House of Representatives, of the following titles, viz:

An act to authorize the election of a chancellor of the Louisville chancery court when the chancellor is absent or interested in a case.

An act to amend the charter of the town of Lebanon, in Marion county.

An act to amend an act, entitled "An act to incorporate the Louisville Bridge Company," approved February 19, 1861.

An act applying the general mechanics' lien law to Taylor and Green counties.

An act for the benefit of Isom Johnson, sheriff of Henderson county.

An act for the benefit of Benjamin F. Jameson, former sheriff of Hart county.

An act for the benefit of the trustees of Providence Church, in the county of Mercer.

4. An act to incorporate the Big Sandy Lumber and Improvement Company.

An act to amend chapter 84 of the Revised Statutes, title "Roads and Passways."

Resolution providing for a recess and for firing salute on the 22d February.

That they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend section 1, article 3, chapter 32, title 'Elections,' of the Revised Statutes,' approved February 11, 1858."

2. An act to repeal an act, entitled "An act to amend article 2, chapter 42, of the Revised Statutes, title 'Guardian and Ward,'" approved February 18th, 1864.

3. An act for the benefit of A. L. Morton, clerk of Ohio circuit court.

4. An act to amend the charter of the town of Hodgenville.

5. An act legalizing the orders and levies of the Larue county court at the October term, 1868.

6. An act for the benefit of John Dishman.

7. An act to facilitate the finding of records in Hart county.

8. An act concerning the Louisville chancery court.

9 An act to amend an act to empower county courts to take stock in turnpike roads in this Commonwealth, approved March 9, 1868.

10. An act for the benefit of William B. Craddock, former sheriff of Hart county.

11. An act to provide for indexing certain records in Jefferson county.

12. An act to fix the time of holding the courts of justices of the peace in Bourbon county.

13. An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county," approved February 23, 1854.

14. An act to authorize the trustees of Hardinsville to grant John M. Lucas license to keep a tavern.

15. An act for the benefit of Ballard county.

16. An act for the protection of farmers and others in the first and second districts in Kenton county.

17. An act to create an additional civil district in Washington county.

18. An act to amend the charter of the town of Calhoon.

19. An act to authorize the county court of Mercer county to sell the poor-house property and reinvest the proceeds.

20. An act to amend an act, entitled "An act to authorize McLean county to vote on the road tax."

21. An act for the benefit of Madison county, authorizing the county court to levy an additional tax.

22. An act to regulate the county levy of Shelby county.

23. An act to amend an act, entitled "An act authorizing the citizens of Brandenburg to elect a police judge and marshal," approved January 28, 1854.

24. An act to change the time of holding the quarterly courts in Christian county.

25. An act to change the Point district voting place, in Pulaski county.

26. An act to provide certain books for the county of Metcalfe.

27. An act for the benefit of Gallatin county.

28. An act to amend an act, entitled "An act to provide for the holding of county and quarterly courts when the judge is absent or cannot preside," approved March 9, 1854.

29. An act to regulate the jurisdiction of justices of the peace in Carrsville civil district, in Livingston county.

30. An act to establish the county of Menifee.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Revised Statutes; the 3d, 4th, 5th, and 7th to the Committee on Circuit Courts; the 6th, 10th, and 26th to the Committee on Finance; the 8th, 11th, 13th, 14th, 16th, and 18th to the Committee on the Judiciary; the 9th, 12th, 15th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 27th, 28th, and 29th to the Committee on County Courts, and the 30th to the Committee on Propositions and Grievances.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Owensboro and Russellville railroad company," approved February 27th, 1867.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Deposit Bank of Frankfort.

An act to incorporate the Clark and Montgomery turnpike road company.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

Mr. Leslie, from the Committee on Finance, to whom was referred a bill to fix the corporate boundary of Cave City, in Barren county,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to release to the town of Smithland all right and title of the State of Kentucky in and to Cumberland Hospital,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	D. Y. Lyttle,
Jos. M. Alexander,	A. H. Field,	I. T. Martin,
F. M. Allison,	Joseph Gardner,	Jno. W. F. Parker,
R. T. Baker,	Evan M. Garriott,	I. A. Spalding,
Robert Boyd,	W. C. Halbert,	E. D. Standeford,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
John G. Carlisle,	P. H. Leslie,	W. L. Vories,
Joseph H. Chandler,	Henry C. Lilly,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Alexander, from the Committee on Internal Improvement, reported a bill to incorporate the Paducah and Gulf railroad company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M Alexander,	A. D. Cosby,	John W. F. Parker,
F. M. Allison,	A. H. Field,	I. A. Spalding,
R. T. Baker,	Evan M. Garriott,	E. D. Standeford,
A. K. Bradley,	W. C. Halbert,	Philip Swigert,

John B. Bruner,	G. A. C. Holt,	Harrison Thompson,
Tho. P. Cardwell,	O. P. Johnson,	Oscar Turner,
John G. Carlisle,	W. Lindsay,	A. C. Vallandingham,
Joseph H. Chandler,	D. Y. Lyttle,	Ben. J. Webb,
Lyttleton Cooke,	I. T. Martin,	I. C. Winfrey—27.

Those who voted in the negative, were—

Mr. Speaker (Johnson), Robert Boyd, P. H. Leslie—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill in relation to the New Orleans and Ohio railroad company and others,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was rejected.

Mr. Winfrey, from the Committee on Propositions and Grievances, reported a bill to extend the boundary of the town of Lancaster, in Garrard county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Field, from the Committee on Circuit Courts, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the holding of the circuit courts in the fourteenth judicial district,

Reported the same with amendments.

Which were concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill to incorporate the Louisville and Beargrass railway company.

Said bill was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration an engrossed bill, entitled

An act requiring the Louisville and Nashville railroad company to pay for stock they negligently kill or damage on said road.

After some discussion had thereon, on motion of Mr. Dudley, the further consideration of said bill was postponed until 12 o'clock, M., this day.

The Speaker laid before the Senate the response of the Auditor to a resolution of the Senate, adopted on yesterday, in relation to insurance companies.

Said response was referred to the Committee on the Judiciary.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred the report of the select committee upon the subject of insurance, together with the three bills in relation to the same subject, asked that so much of the report as refers to the condition of the Southern Life and Hope Insurance Companies be referred to the select committee on that subject, and also, that further time be granted to the committee in which to make their report.

Both of which requests were granted.

Mr. Carlisle read and laid on the table a resolution.

Which was taken up and read as follows, viz:

Resolved, That the Auditor of Public Accounts be, and he is hereby, directed to report to the Senate the amount of fees received by him from insurance companies, their agents and officers, during the year ending October 10, 1868.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they, on their part, had appointed a committee, to act in conjunction with a similar committee to be appointed by the Senate, to wait upon the Governor, asking the withdrawal from him of a bill, which originated in the Senate, entitled

An act to incorporate the Cumberland and Ohio railroad company.

The question was then taken upon the appointment of the Committee just above referred to, and it was decided in the negative.

Mr. Cooke, from the select committee on the subject of insurance, presented the following supplemental report in relation to the Southern Life Insurance Company, viz:

To the Senate of Kentucky:

It is due to the Southern Life Insurance Company to state, that the comments of your committee in their recent report upon the condition of said company were based upon the sworn answers of Mr. E. T. Hopkins, the Secretary of the Kentucky Department, to the interrogatories propounded by your committee, as published in said report. We are now satisfied that our report did that company injustice. We had furnished Mr. Hopkins with blank forms for said company to make a report of its condition several months before the assembling of the present session of the General Assembly, and we are now satisfied that the Chief Secretary of said company had made out a report of its condition in accordance with the requirements of your committee, and the same had been forwarded to Mr. Hopkins to be delivered to us; but, for some cause to us unknown, the said statement was never delivered. Since our report said statement has been furnished to us by Mr. May, Secretary of the Memphis Department, and Gen. Gordon, President of the Atlanta Department, and said statement, in a condensed form, will follow this supplementary report. It will be observed that this statement exhibits said company to be in a sound condition. It affords us pleasure, in view of the facts now before us, to make this public reparation to said company.

LYTTLETON COOKE,
P. H. LESLIE,
R. TARVIN BAKER.

Statement of Assets and Liabilities of the Southern Life Insurance Company, of Memphis:

ASSETS.

Cash on hand and in bank		$4,967 68
Short loans		1,312 74
United States bonds, 5-20s		150,000 00
Stock notes		4,300 00
Premium notes		71,969 46
Premium loans		10,140 75
Furniture		4,163 99
Ledger balances, including Atlanta and Louisville branches		21,705 09
In hands of agents		51,119 96
Deferred premiums		12,986 78
		$332,666 45

LIABILITIES.

Medical Board and ledger balances	$1,424 39	
Claims adjusted, &c.	3,500 00	
Claims resisted	10,000 00	
	$14,924 39	
Less re-insurance	5,000 00	
	$9,924 39	
Cost to re-insure outstanding policies, $3,137,200, 2 years at 4½ per cent., 1 year at 2¼ per cent.	110,524 00	
Amount of guarantee capital paid up and secured	224,200 00	
		344,648 39
Liabilities over assets		$11,981 94

Ordered, That the Public Printer print two thousand copies of said report.

The Senate took up for consideration a bill to improve the navigation of the South Fork of Cumberland river.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of fifteen thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for removing obstructions to navigation from the South Fork of Cumberland river, from the mouth of said river up to the mouth of Rock creek, between Pulaski, Wayne, and Whitley counties.

§ 2. That J. C. Cosson, of Somerset, J. L Sallee, of Monticello, and W. McKee Fox, of Pulaski, any two of whom may act, are appointed commissioners to examine said river from its mouth up to the point above named, and determine what obstructions are in the way of safe navigation, and proceed to have such obstructions removed in such manner as in their judgment is best, beginning with those nearest the mouth, and extending successively up the river as the work is completed.

§ 3. That the commissioners be empowered to employ a competent man, with judgment and skill, to direct and manage such work, and allow him not exceeding five dollars a day while actually employed.

§ 4. The said commissioners shall begin said work as soon as practicable when the water is low, and they shall severally receive for each day, not exceeding twenty-five, that they are actually engaged, the sum of four dollars for their services; but before entering upon their duties, they shall each one, in the county where he resides, enter into bond, with good security, in the county court of his county, to be approved by said court, for the faithful performance thereof.

§ 5. The Auditor of Public Accounts, upon the requisition of the commissioners, accompanied with a certified copy of their bond, is authorized to draw his warrant upon the Treasury for such sums as may be necessary to pay for the work as it progresses, but not to exceed, in aggregate, the amount above appropriated.

§ 6. They shall make a full report of all their acts and doings at the next session of the Legislature.

§ 7. This act to take effect from its passage.

Mr. Turner then moved to amend the bill by adding thereto the following additional section, viz:

And the sum of ten thousand dollars is hereby appropriated to improve the navigation of Clark's river; and James C. Calhoun and L. D. Husbands, and Samuel Caldwell, of McCracken, be, and are hereby, appointed commissioners to expend judiciously the aforesaid sum for the purpose aforesaid; and, upon their order, or any two of them, the Auditor shall draw his warrant on the Treasury for the amount aforesaid. Said commissioners shall execute a bond to the Commonwealth, conditioned faithfully to perform the duty imposed

upon them by this act; said bond shall be lodged in the county court clerk's office in the county of McCracken.

The question was then taken on the adoption of the amendment proposed by Mr. Turner, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Field and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Evan M. Garriott,	John W. F. Parker,
F. M. Allison,	G. A. C. Holt,	I. A. Spalding,
A. K. Bradley,	Henry C. Lilly,	Harrison Thompson,
Jno. G. Carlisle,	W. Lindsay,	Oscar Turner,
Lyttleton Cooke,	D. Y. Lyttle,	Ben. J. Webb—16.
A. H. Field,		

Those who voted in the negative, were—

Jos. M. Alexander,	A. D. Cosby,	P. H. Leslie,
R. T. Baker,	Wm. A. Dudley,	I. T. Martin,
John B. Bruner,	Joseph Gardner,	E. D. Standeford,
Tho. P. Cardwell,	W. C. Halbert,	Philip Swigert,
Joseph H. Chandler,	O. P. Johnson,	I. C. Winfrey—15.

Mr. Field then moved to amend the bill as follows:

Add to the bill the following additional section, viz:

That, on account of the absolute necessity, that, at least once a year, Salt river should be navigable, it is moved that twenty thousand dollars is hereby appropriated to remove the obstructions, political and otherwise, from said stream, and leave it open for the navigation of all.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Field, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	John G. Carlisle,	H. Thompson,
R. T. Baker,	A. H. Field,	Oscar Turner,
A. K. Bradley,	Evan M. Garriott,	Ben. J. Webb—9.

Those who voted in the negative, were—

Mr. Speaker (Johnson),	Joseph Gardner,	D. Y. Lyttle,
Jos. M. Alexander,	W. C. Halbert,	I. T. Martin,
John B. Bruner,	G. A. C. Holt,	Jno. W. F. Parker,
Tho. P. Cardwell,	O. P. Johnson,	I. A. Spalding,
Joseph H. Chandler,	P. H. Leslie,	E. D. Standeford,
A. D. Cosby,	Henry C. Lilly,	Philip Swigert,
Wm. A. Dudley,	W. Lindsay,	I. C. Winfrey—21.

Amendments were then proposed and read for information by the following Senators: Messrs. Spalding, Holt, Lyttle, Bruner, Chandler, Bradley, and Halbert.

Mr. Chandler moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spalding and Lilly, were as follows, viz:

Those who voted in the affirmative, were—

John B. Bruner,	Evan M. Garriott,	H. Thompson,
Joseph H. Chandler,	G. A. C. Holt,	I. C. Winfrey—6.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	John W. F. Parker,
Joseph M. Alexander,	W. C. Halbert,	I. A. Spalding,
F. M. Allison,	O. P. Johnson,	E. D. Standeford,
R. T. Baker,	P. H. Leslie,	Philip Swigert,
A. K. Bradley,	Henry C. Lilly,	Oscar Turner,
Tho. P. Cardwell,	W. Lindsay,	A. C. Vallandingham,
John G. Carlisle,	D. Y. Lyttle,	W. L. Vories,
Wm. A. Dudley,	I. T. Martin,	Ben. J. Webb—25.
A. H. Field,		

Pending the consideration of said bill, the hour arrived for resuming the consideration of the engrossed bill, entitled

An act requiring the Louisville and Nashville railroad company to pay for stock they negligently kill or damage on said road.

Mr. Vallandingham moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Bradley, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Evan M. Garriott,	I. A. Spalding,
F. M. Allison,	W. C. Halbert,	Harrison Thompson,
A. K. Bradley,	G. A. C. Holt,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	A. C. Vallandingham,
Jos. H. Chandler,	P. H. Leslie,	W. L. Vories,
A. D. Cosby,	W. Lindsay,	Ben. J. Webb,
A. H. Field,	I. T. Martin,	I. C. Winfrey—21.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	John W. F. Parker,
R. T. Baker,	Wm. A. Dudley,	E. D. Standeford,
John B. Bruner,	Henry C. Lilly,	Philip Swigert—11.
Jno. G. Carlisle,	D. Y. Lyttle,	

Resolved, That the title of said bill be amended so as to read,

An act requiring all railroad companies in this Commonwealth to pay for stock they negligently kill or damage on said roads.

Leave was given to bring in the following bills, viz:

On motion of Mr. Thompson—

1. A bill to amend the charter of the Clark County Agricultural Association.

On motion of Mr. Martin—

2. A bill for relief to R. W. Robertson, of Harrison county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, and the Committee on Finance the 2d.

Mr. Gardner presented the petition of Wm. Craft, surveyor of Magoffin county, asking that copies of certain surveys, plats, &c., be furnished him.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties;

An act for the benefit of Frank Hill, late sheriff of Washington county;

An act for the benefit of Nancy Hodges, of Hart county;

An act to change the time of holding the quarterly court in Fleming county;

An act for the benefit of Madison county;

An act to amend an act approved 5th February, 1868, entitled "An act to amend an act approved 18th February, 1865, to empower the county court of Bath county to make subscription to the capital stock of turnpike roads;"

An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town;

An act to amend the charter of the Female Literary and Benevolent Institution, of Loretto, Marion county;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Deposit Bank of Cynthiana;

An act to amend an act, entitled "An act to establish the Deposit Bank of Princeton, Kentucky;"

An act to incorporate the Blue Lick turnpike road company;

An act directing the Commissioners of the Sinking Fund to lease the improvements of the Kentucky river;

An act to amend the charter of the Glasgow railroad company;

An act requiring the chartered banks of this Commonwealth to make semi-annual reports of their condition;

An act to amend the charter of the Bank of Ashland, and to incorporate the Bank of Shelbyville;

An act to charter the Deposit Bank of Glasgow;

An act to incorporate the Cumberland and Ohio railroad company;

An act to incorporate the Deposit and Savings Bank of Lexington;

An act to amend an act, entitled "An act to consolidate the towns of Jamestown and Brooklyn, in Campbell county, and to incorporate the city of Dayton," approved March 9, 1867;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

THURSDAY, FEBRUARY 25, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act for the benefit of W. T. V. Bradford, late sheriff of Scott county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Magoffin county.

An act for the benefit of Taylor W. Samuels, late sheriff of Nelson county.

An act to authorize the county court of Calloway county to change the State road leading from Canton, by way of Murray, to Hickman.

An act to prohibit the sale of spirituous liquors within the corporate limits of the town of Sherburne, in Fleming county.

An act to regulate the sale of intoxicating spirits in the town of Clinton, Hickman county.

An act for the benefit of Hopkins county.

An act repealing all acts or parts of acts authorizing the trustees of the town of Winchester to grant coffee-house license.

An act to incorporate the Paducah and Gulf railroad company.

An act to amend an act, entitled "An act to incorporate the Louisville and Harrodsburg and Virginia railroad," approved March 9th, 1868.

With an amendment to the last named bill.

Which was taken up, twice read, and concurred in, with an amendment.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Campbell county court.

2. An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26th, 1868.

3. An act for the benefit of the county court of Edmonson county.

4. An act for the benefit of Q. C. Small, administrator of B Small, deceased.

5. An act to repeal an act, entitled "An act for the benefit of Elijah A. G. Ross."

6. An act in relation to State roads in Marshall and Crittenden counties.

7. An act to revive and extend an act, entitled "An act for the benefit of J. H. Terrell, administrator of G. B. Grundy, deceased."

8. An act for the benefit of Henry county.

9. An act to authorize the county court of Lawrence county to impose additional taxes, and to authorize them to issue bonds.

10. An act to change the time of holding the Todd quarterly court.

11. An act to change the time of holding the court of claims in Meade county.

12. An act for the benefit of the Rockcastle county court.

13. An act to change the time of holding the quarterly courts in Knox county.

14. An act to change the time of holding the quarterly courts in Gallatin county.

15. An act to authorize the presiding judge of the county of Metcalfe to sell land.

16. An act to amend an act, entitled "An act to establish the county of Josh Bell," approved February 28th, 1867.

17. An act for the benefit of the Jackson county court.

18. An act to declare Buffalo creek, in Floyd county, a navigable stream.

19. An act regulating and changing the times of holding the quarterly and county and magistrates' courts in the county of Greenup.

20. An act to authorize Amanda Burnett to establish a ferry across the Big Sandy river.

21. An act for the benefit of Jeff. C. Asher, justice of the peace in Caldwell county.

22. An act to enlarge and make valid all summons and process, and the returns thereon issued and made returnable to the next term of the Lawrence circuit court, as if made returnable to the next May term of said court, and to legalize and make valid all proceedings thereunder.

23. An act to amend an act, entitled "An act to punish certain trespasses in Jefferson and other counties," passed the 23d of December, 1861, so as to apply its provisions and the amendment thereto, passed the 8th of March, 1862, to the county of Grant.

24. An act to change the road laws in Jackson county.

25. An act for the benefit of Elliott county.

26. An act to define the line between magistrates' district No. 1 and district No. 5, in Magoffin county.

27. An act to apply the general mechanics' lien law in Hart county.

28. An act to amend an act, entitled "An act to authorize the Campbell county court to make subscriptions to the capital stock of turnpike road companies located within the limits of said county."

29. An act for the benefit of Floyd county.

30. An act for the benefit of the sinking fund commissioners of Hart county.

31. An act to furnish weights, measures, and balances for the counties of Ohio and Washington.

32. An act for the benefit of William Adams, of Magoffin county.

33. An act for the benefit of J. R. Hunter & Co., of Morgan county.

34. An act for the benefit of the Johnson county court.

35. An act for the benefit of John Seaton, late judge of the Greenup county court.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 17th, 19th, 25th, 29th, 34th, and 35th to the Committee on County Courts; the 2d to the Committee on Agriculture and Manufactures; the 4th and 21st to the Committee on Finance; the 5th, 7th, 20th, 23d, 27th, 32d, and 33d to the Committee on Revised Statutes; the 6th, 18th, 24th, and 28th to the Committee on Internal Improvement; the 16th to the Committee on Propositions and Grievances; the 22d to the Committee on Circuit Courts; the 30th to the Committee on the Sinking Fund, and the 31st to the Committee on the Judiciary.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Richmond and Big Hill turnpike road company.

An act to amend the charter of the Richmond and Barnes' Mill turnpike road company.

An act for the benefit of the Cincinnati, Lexington, and East Tennessee railroad company.

An act for the benefit of the Clark and Bourbon turnpike road company.

An act to amend the charter of the Shelbyville and Louisville turnpike road company.

An act to repeal section 9 of an act, entitled "An act to incorporate the Mount Carmel and Fox Springs turnpike road company, and to levy a tax to aid in building said road."

An act for the benefit of the Mt. Sterling and Owingsville turnpike road company.

An act declaring Clark's river a navigable stream;

An act for the benefit of the sureties of B. W. Cleaver, late sheriff of Grayson county, in his revenue bond for 1866.

An act authorizing the county judge of Green county to levy a tax to repair the court-house of Green county.

An act to repeal an act, entitled "An act to establish two additional justices' districts in Mason county," approved January 13th, 1868, and the act amendatory thereof, approved March 5th, 1868.

An act to incorporate the Olympian Springs and Slate Bridge turnpike road company.

An act to incorporate the Richmond, Union, and Kentucky River turnpike road company.

An act to incorporate the Fox Run and Bullskin Creek turnpike road company.

An act to amend the charter and supplemental and amended charter of the Harrodsburg and Cornishville turnpike.

An act to amend the charter of the Burlington and Florence turnpike road company.

An act to incorporate the Doyle's Lane and Wilsonville turnpike road company.

An act to incorporate the Flemingsburg and Mouth of Fox turnpike road company.

The Senate, according to order, resumed the consideration of a bill to improve the navigation of the South Fork of the Cumberland river,

Together with the pending amendments.

On motion,

Ordered, That said bill and pending amendments be referred to the Committee on Internal Improvement.

The Speaker laid before the Senate the response of the Auditor to a resolution of yesterday.

Ordered, That said response be referred to the Committee on the Judiciary.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act amending an act authorizing county courts to subscribe stock in turnpike roads, and for the benefit of Harrison county.

The Senate took up for consideration a bill to pay military claims audited by the Quarter-Master General,

Together with amendments heretofore proposed.

The original bill reads as follows, viz:

WHEREAS, The General Assembly, by acts approved February 17, 1866, and March 9, 1867, provided for the auditing of certain military claims against the State, which must needs be paid by the State before

they can be collected of the United States; therefore, in order to carry out the purpose of the General Assembly, and also to enable the Quarter-Master General to present said claims to the General Government for collection,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and is hereby, directed to draw his warrant upon the Treasurer in payment of such military claims as may have been reported to this Legislature by the Quarter-Master General, in accordance with the provisions of acts approved February 17, 1866, and March 9, 1867: *Provided*, That this act be not so construed as to appropriate any money now in the Treasury, but that these claims shall be paid out of the first moneys received from the United States on account of the war debt.

§ 2. That the Quarter-Master General be, and is hereby, directed to cause these claims, as soon as they shall be paid, to be made up into an installment of the war debt, and presented to the General Government for adjustment.

§ 3. This act to take effect from its passage.

The amendments heretofore proposed read as follows, viz:

Amend the bill by inserting in the preamble, in the 2d line, after the figures "1867," the words "March 11th, 1867." Strike from the 4th line, in first section, the words "reported to this Legislature," and insert in lieu thereof the words "audited and allowed." Insert the words "March 11th, 1867," in line 6th, first section, after the figures "1867."

Mr. Leslie then proposed to amend the bill as follows, viz:

Strike out all after the word "Treasury," in the 7th line, and insert "each claimant to be paid when his claim is allowed and paid by the General Assembly."

Mr. Baker then moved to refer said bill and proposed amendments to the Committee on Finance, with instructions to report on Wednesday next, 3d March.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Winfrey and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. D. Cosby,	I. T. Martin,
Jos. M. Alexander,	Evan M. Garriott,	H. Thompson,
R. T. Baker,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	A. C. Vallandingham,
Joseph H. Chandler,	P. H. Leslie,	W. L. Vories,
Lyttleton Cooke,	W. Lindsay,	Ben. J. Webb—18.

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	Jno. W. F. Parker,
Robert Boyd,	Joseph Gardner,	I. A. Spalding,
John B. Bruner,	W. C. Halbert,	E. D. Standeford,
John G. Carlisle,	Henry C. Lilly,	Philip Swigert,
Wm. A. Dudley,	D. Y. Lyttle,	I. C. Winfrey—15.

The Senate took up for consideration a bill to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Spalding, from the Committee on Immigation and Labor—

A bill to establish a State Board of Immigration.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and placed in the orders of the day, and the 2d was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Halbert moved the following resolution, viz:

Resolved, That the Senate will, after to-day, meet at 9½ o'clock, A. M., and adjourn at 1½, P. M., each day, until the close of the session.

Mr. Field then moved to amend by substituting, in lieu of 9½, 10, and in lieu of 1½, 2.

Mr. Martin then moved to lay said resolution and proposed amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Lindsay, were as follows, viz:

48–s.

Those who voted in the affirmative, were—

F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
R. T. Baker,	O. P. Johnson,	Philip Swigert,
Robert Boyd,	Henry C. Lilly,	A. C. Vallandingham,
Jno. G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	I. C. Winfrey—17.
Wm. A. Dudley,	I. A. Spalding,	

Those who voted in the negative, were—

Mr. Speaker (Johnson),	A. H. Field,	W. Lindsay,
A. K. Bradley,	Joseph Gardner,	John W. F. Parker,
John B. Bruner,	W. C. Halbert,	Harrison Thompson,
Tho. P. Cardwell,	G. A. C. Holt,	Oscar Turner,
Joseph H. Chandler,	P. H. Leslie,	W. L. Vories—16.
Lyttleton Cooke,		

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all others, except Life Insurance Companies,

Reported the same, with an amendment as a substitute for said bill.

Mr. Turner then moved an amendment to the substitute.

Ordered, That the proposed substitute and the amendment proposed by Mr. Turner be printed and placed in the orders of the day.

Mr. Vallandingham moved the following resolution, viz:

Resolved, That the Committee on Agriculture and Manufactures be instructed to inquire into the propriety of the Legislature's making an appropriation to aid the State Agricultural Society to carry out the objects contemplated in their organization, and that they report by bill or otherwise.

Which was adopted.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Cumberland and Ohio railroad company.

An act requiring the chartered banks of this Commonwealth to make semi-annual reports of their condition.

An act to amend the charter of the Bank of Ashland, and to incorporate the Bank of Shelbyville.

An act directing the Commissioners of the Sinking Fund to lease the improvements of the Kentucky river.

An act to amend an act, entitled "An act to consolidate the towns of Jamestown and Brooklyn, in Campbell county, and to incorporate the city of Dayton," approved March 9, 1867.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lindsay—

1. A bill to regulate proceedings upon petitions for rehearing in the Court of Appeals.

On motion of same—

2 A bill for the benefit of A. S. Arnold, sheriff of Hickman county.

On motion of Mr. Martin—

3. A bill providing for furnishing the county of Harrison with weights and measures.

On motion of Mr. Chandler—

4. A bill for the benefit of G. J. Cundiff and others.

Ordered, That the Committee on the Court of Appeals prepare and bring in the 1st; the Committee on Finance the 2d and 3d, and the Committee on the Judiciary the 4th.

The following petitions were presented, viz:

By Mr. Alexander—

1. The petition of Judge Roe and others, asking the passage of an act for the benefit of the sureties of J. W. McGlosson, former sheriff of Rowan county.

By Mr. Lilly—

2. The petition of the county court of Rowan county, asking authority to increase the county levy, and apply a portion of their State revenue to erect public buildings.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on County Courts.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to protect small birds and game in Lewis county;

An act to amend the road laws so far as the counties of Hickman and Ballard are concerned;

An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson;

An act changing the time of holding the Bullitt circuit court;

An act for the benefit of Fleming Solmans, of Carter county;

An act enlarging the powers of the Metcalfe county court;

An act for the benefit of John D. Secrest, of Fleming county;

An act to authorize the county court of Butler county to issue bonds to build a jail and repair the court-house;

An act creating a special term of the Bullitt circuit court for the trial of equity causes and motions not requiring the intervention of a jury;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the Metropolis and Union City railroad company;

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts concerning the town of Lagrange," approved 3d of March, 1868;

An act to amend an act authorizing and empowering county courts to create additional justices' districts, establish voting precincts in such districts, and fix the boundary lines and places of voting therein, approved March 7th, 1868;

An act to amend an act, entitled "An act for the benefit of the towns of Marion and Birmingham;"

An act to amend an act, entitled "An act to protect graves and graveyards," approved March 9, 1854;

An act to authorize the Greenup county court to levy an ad valorem tax for the payment of certain bonds therein mentioned;

An act to incorporate the Western Military Academy, at New Castle, Henry county;

An act empowering the county court of Carter county to levy a tax for the purpose of rebuilding the clerks' offices of the county and circuit courts in said county, and to build fire-proof vaults for the safe-keeping of the public records of said county;

An act o amend the charter of the town of Carrollton;

An act to incorporate the Jones' Mill and Barnes' Mill turnpike road company;

An act to authorize the Marshall county court to change the State road leading from Columbus to Hopkinsville;

An act to amend an act authorizing the counties of Bourbon, Nicholas, and Fleming to take stock in the Maysville and Lexington railroad company, Northern Division;

An act to change the boundary of school district No. 47, in Washington county, and 48, in Marion county;

An act to charter the Crittenden Seminary;

An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax;"

An act to charter the Horse Cave High School, in Hart county;

An act to amend the charter of the City Banking Company, of Campbell county;

An act to amend an act, entitled "An act to incorporate the Owensboro and Russellville railroad company," approved February 27th, 1867;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

The Senate took up for consideration a resolution from the House of Representatives, entitled

Resolution in relation to a final adjournment.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on the 9th day of March, 1869, it shall adjourn *sine die*.

Mr. Thompson moved to postpone the further consideration of said resolution until Tuesday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	W. C. Halbert,	John W. F. Parker,
R. T. Baker,	Henry C. Lilly,	Philip Swigert,
Robert Boyd,	D. Y. Lyttle,	A. C. Vallandingham,
Jno. G. Carlisle,	I. T. Martin,	H. Thompson—13.
Lyttleton Cooke,		

Those who voted in the negative, were—

F. M. Allison,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Evan M. Garriott,	E. D. Standeford,
John B. Bruner,	G. A. C. Holt,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	W. L. Vories,
Jos. H. Chandler,	P. H. Leslie,	Ben. J. Webb,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—19.
Wm. A. Dudley,		

Mr. Lilly then moved to amend said resolution as follows, viz:

Strike out the 9th and insert the 16th.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	John W. F. Parker,
R. T. Baker,	W. C. Halbert,	Philip Swigert,
Robert Boyd,	Henry C. Lilly,	H. Thompson,
John G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb—14.
Lyttleton Cooke,	I. T. Martin,	

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	I. A. Spalding,
A. K. Bradley,	Joseph Gardner,	E. D. Standeford,
John B. Bruner,	G. A. C. Holt,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	A. C. Vallandingham,
Joseph H. Chandler,	P. H. Leslie,	W. L. Vories,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—19.
Wm. A. Dudley,		

Mr. Bradley moved the previous question.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dudley and Baker, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	W. C. Halbert,	E. D. Standeford,
John B. Bruner,	G. A. C. Holt,	Oscar Turner,
Joseph H. Chandler,	O. P. Johnson,	A. C. Vallandingham,
A. D. Cosby,	P. H. Leslie,	W. L. Vories,
Wm. A. Dudley,	W. Lindsay,	I. C. Winfrey—18.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	I. T. Martin,
R. T. Baker,	A. H. Field,	John W. F. Parker,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	Harrison Thompson,
John G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb—15.

Mr. Baker moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Standeford and Allison, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Henry C. Lilly,	Philip Swigert,
R. T. Baker,	D. Y. Lyttle,	Harrison Thompson,
Robert Boyd,	I. T. Martin,	Oscar Turner,
John G. Carlisle,	Jno. W. F. Parker,	A. C. Vallandingham,

Evan M. Garriott, I. A. Spalding, Ben. J. Webb—16.
W. C. Halbert,

Those who voted in the negative, were—

F. M Allison, A. D. Cosby, P. H. Leslie,
A. K. Bradley, Wm. A. Dudley, W. Lindsay,
John B. Bruner, A. H. Field, E. D. Standeford,
Tho. P. Cardwell, Joseph Gardner, W. L. Vories,
Jos. H. Chandler, G. A. C. Holt, I. C. Winfrey—17.
Lyttleton Cooke, O. P. Johnson,

The question was then taken on concurring in the resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison, A. H. Field, I. A. Spalding,
A. K. Bradley, Joseph Gardner, E. D. Standeford,
John B. Bruner, G. A. C. Holt, Oscar Turner,
Tho. P. Cardwell, O. P. Johnson, A. C. Vallandingham,
Jos. H. Chandler, P. H. Leslie, W. L. Vories,
A. D. Cosby, W. Lindsay. I. C. Winfrey—19.
Wm. A. Dudley,

Those who voted in the negative, were—

Mr. SPEAKER (Johnson), Evan M. Garriott, J. W. F. Parker,
R. T. Baker, W. C. Halbert, Philip Swigert,
Robert Boyd, Henry C. Lilly, Harrison Thompson,
John G. Carlisle, D. Y. Lyttle, Ben. J. Webb—14.
Lyttleton Cooke, I. T Martin,

Mr. Winfrey then moved to reconsider the vote by which the Senate had concurred in the adoption of the resolution aforesaid.

Which motion was only entered.

And then the Senate adjourned.

FRIDAY, FEBRUARY 26, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to repeal an act to define the line between the counties of Lewis and Carter.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the acts in relation to the town of Ashland.

An act to change the time of holding the circuit and criminal courts in the 12th judicial district.

An act to perfect the record of the Bullitt county court.

An act in relation to the public square of Greenup county.

An act to authorize the appointment of a treasurer for Trimble county.

An act changing the time of holding the quarterly courts of Hancock county.

An act to change the time for holding the Franklin county court.

An act to authorize the sale of part of Fairview Cemetery.

An act to appropriate money to improve the North Fork of the Kentucky river.

With an amendment to the last named bill.

That they had concurred in the amendments proposed by the Senate to bills from the House of Representatives of the following titles, viz:

An act to compensate jurors in justices', police, and quarterly courts in the counties of Kenton, Estill, and Fleming.

An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court.

An act to regulate the holding of the circuit courts in the fourteenth judicial district,

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act for the benefit of the Kentucky Institution for the Blind, and meritorious pupils of said institution.

2. An act to authorize the mayor and council of the city of Frankfort and the Franklin county court to build a bridge.

3. An act to authorize the county judge of Henderson county to appoint additional processioners for that county.

4. An act for the benefit of Hardin county.

5. An act for the benefit of Johnson county.

6. An act to establish a State road from Hopkinsville to Paducah, via Parkersville.

7. An act to regulate the jurisdiction of the Gallatin county quarterly court.

8. An act, entitled "An act to amend the charter of the town of Mt. Sterling."

9. An act for the benefit of J. W. Lewis, of Boyle county.

10. An act to allow Edward Air, clerk of the Campbell county court, further time to give official bond.

11. An act to establish the Valley ferry.

12. An act for the benefit of Boyle county.

13. An act repealing an act, entitled "An act to regulate the jurisdiction of the Harrison quarterly court," approved February 18, 1868.

14. An act to amend the charter of the town of Clintonville.

15. An act to re-enact an act, entitled "An act for the benefit of Sarah S. Fowler, of Livingston county," approved 30th January, 1850.

16. An act to amend an act, entitled "An act to amend the charter of the town of Cadiz," approved April 4th, 1861.

17. An act to repeal an act, entitled "An act to prevent the destruction of fish in Little river, in Trigg county," approved February 21st, 1868.

18. An act to prevent the sale of ardent spirits in or near Bohontown.

19. An act to amend the police laws and charter of the town of Independence.

20. An act to incorporate the Maxville, Willisburg, and Louisville turnpike road company.

21. An act to extend the corporate limits of the town of Hopkinsville.

22. An act to incorporate the Duncansville and Chaplin turnpike road company.

23. An act to amend the charter of the city of Covington.

24. An act to amend chapter 80, section 26, of the Revised Statutes, title "Real Estate."

25. An act to create a mechanics' lien law for Marshall county.

26. An act to incorporate the Cane Run and Kingsville turnpike road company, in Mercer county.

27. An act to amend the several acts relating to the town of Greenville.

28. An act to amend an act, entitled "An act to charter the town of Hiseville, in Barren county," approved March 5th, 1868.

29. An act to exempt telegraph operators and the employees of telegraph offices from sitting on juries.

30. An act to prescribe penalties for illegal charges made and collected by street railways.

31. An act to exempt certain counties and districts from tax on seals in certain cases.

32. An act to incorporate the Green County Agricultural and Mechanical Association.

33. An act to re-enact article 18, chapter 36, of the Revised Statutes.

34. Resolution to purchase portrait of Thos. Jefferson.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st, 5th, 31st, and 34th to the Committee on Finance; the 2d, 6th, 9th, 20th, 22d, and 26th to the Committee on Internal Improvement; the 3d, 4th, 7th, 10th, 13th, and 29th to the Committee on County Courts; the 8th, 14th, 15th, 16th, 18th, 21st, 24th, 25th, 27th, 28th, 30th, and 33d to the Committee on Revised Statutes; the 11th to the Committee on Propositions and Grievances; the 12th, 17th, and 32d to the Committee on Agriculture and Manufactures, and the 19th and 23d to the Committee on the Judiciary.

Mr. Lindsay presented the memorial of the president and directors of the Mobile and Ohio railroad company, asking to be released from the payment of certain taxes.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

A message was received from the House of Representatives, announcing that they had received official information from the Gov-

ernor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Female Literary and Benevolent Institution, of Loretto, Marion county.

An act to amend an act approved 5th February, 1868, entitled "An act to amend an act approved 18th February, 1865, to empower the county court of Bath county to make subscription to the capital stock of turnpike roads."

An act for the benefit of Madison county.

An act to change the time of holding the quarterly court in Fleming county;

An act for the benefit of Frank Hill, late sheriff of Washington county.

An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his sureties.

An act for the benefit of Nancy Hodges, of Hart county.

On motion of Mr. Winfrey,

Ordered, That a message be sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of school district No. 29, in Clinton county.

After a short time, said bill was handed in at the Clerk's desk.

The question was then taken on reconsidering the vote by which the Senate had disagreed to said bill, and it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on Education.

Mr. Leslie, from the Committee on Finance, to whom was referred the report of the Commissioners of the Sinking Fund in relation to the claim of N. Craig, former Keeper of the Penitentiary, against the State of Kentucky, made a majority report thereon.

A minority report was also presented.

[*For Reports—see Legislative Document No.* 16.]

Ordered, That said reports be printed, and made the special order of the day for Wednesday, the 3d day of March next.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of the Mobile and Ohio railroad company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

Whereas, The Commonwealth of Kentucky has claims against the Mobile and Ohio railroad company for revenue tax due on that portion of their road within the limits of this State from the year 1857 up to this time, and it appearing to this General Assembly that said road was not completed until about the — day of ———, 1861, and that, during the whole of the late war, all that part of said road within the lines of the Federal army, including that part within this State, was held and used by the Government of the United States, without compensation to the company, and that said government still refuses to pay said company anything on account thereof; and it further appearing that almost all the rolling stock of said company, and many of the bridges, depot-houses, machine-shops, and other buildings, and much of the track of said road within the State of Kentucky, was destroyed by one or the other of the contending armies, and that said bridges and buildings have been rebuilt and much of said track repaired since the termination of the war, at great expense, and that said track must of necessity be relaid within the next five years; now, in view of these facts, and the further fact that almost all the railroads constructed within this State have been, by law, exempted from taxation until completed, and in order that no discrimination shall be made against the Mobile and Ohio railroad company; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Mobile and Ohio railroad company be, and the same is hereby, released from the payment of all and any tax now due from said company to the Commonwealth of Kentucky on account of that part of their road within said Commonwealth: *Provided*, Said company shall not be released or exempted from the payment of that portion of any tax now due which is by law set apart for the Sinking or School Fund, nor from the payment of any costs due any officer of this Commonwealth on account of the assessment of any tax now due and in arrear.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	P. H. Leslie,	Philip Swigert,
F. M. Allison,	W. Lindsay,	H. Thompson,
A. K. Bradley,	I. T. Martin,	A. C. Vallandingham,
John G. Carlisle,	John W. F. Parker,	W. L. Vories,
Joseph Gardner,	I. A. Spalding,	Ben. J. Webb,
Evan M. Garriott,	E. D. Standeford,	I. C. Winfrey—19.
W. C. Halbert,		

Those who voted in the negative, were—

R. T. Baker,	A. D. Cosby,	O. P. Johnson,
John B. Bruner,	A. H. Field,	Oscar Turner—8.
Joseph H. Chandler,	G. A. C. Holt,	

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of the Widows and Orphans' Fund Life Insurance Company, of Nashville, Tennessee.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Fleming Solmans, of Carter county.

An act to incorporate the Deposit and Savings Bank of Lexington.

An act for the benefit of John D. Secrest, of Fleming county.

An act creating a special term of the Bullitt circuit court for the trial of equity causes and motions not requiring the intervention of a jury.

An act changing the time of holding the Bullitt circuit court.

An act to authorize the county court of Butler county to issue bonds to build a jail and repair the court-house.

An act to amend the road laws so far as the counties of Hickman and Ballard are concerned.

An act enlarging the powers of the Metcalfe county court.

An act to amend the charter of the Glasgow railroad company.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of George Wills, of Henry county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

Whereas, The general appropriation bill for work and labor done on Green, Barren, and Kentucky rivers omitted to mention all the claims of George Wills, of Henry county, and to make an appropriation to him therefor; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer for $150, out of any moneys in the Treasury not otherwise appropriated, in favor of Geo. Wills, of Henry county, for money advanced by order of Samuel Steele, former superintendent of the Kentucky river navigation, to Robert Williams, contractor to repair dam at lock No. 3, on said river, in August, 1867.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	W. C. Halbert,	E. D. Standeford,
R. T. Baker,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	O. P. Johnson,	Harrison Thompson,
Tho. P. Cardwell,	P. H. Leslie,	A. C. Vallandingham,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
Jos. H. Chandler,	I. T. Martin,	Ben. J. Webb,
A. D. Cosby,	John W. F. Parker,	I. C. Winfrey—25.
A. H. Field,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of E. D. Morgan,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

Whereas, It appearing to the satisfaction of the General Assembly that a claim against the Board of Internal Improvement of the State of Kentucky for the sum of $712 38, held and owned by E. D. Morgan, as assignee of J. H. Dennis, as evidenced by the voucher held by said Morgan, was, by accident or unintentional omission, left out of an act approved January 19th, 1869, appropriating money to pay claims against the Kentucky river improvement; and for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of $712 38 be, and is hereby, appropriated to E.

D. Morgan, out of any money in the Treasury not otherwise appropriated, in full liquidation of said claim.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	W. C. Halbert,	E. D. Standeford,
R. T. Baker,	O. P. Johnson,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	H. Thompson,
Tho P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay,	W. L. Vories,
Joseph H. Chandler,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	I. C. Winfrey—26.
A. H. Field,	Jno. W. F. Parker,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to provide books for the county of Pike,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, There was passed, at this session of the Legislature, a bill to provide books for the counties of Pike and Letcher, which bill was approved on the 9th day of March, 1868, and the necessary appropriation therein being more than $100, and at the passage of said bill the yeas and nays were not called on the same in the Senate, consequently the same is inoperative; and whereas, from a certified copy of an order of the Pike county court, there appears to be missing from the offices of the county and circuit courts and justices of the peace the books specified in this act, the same having been lost and destroyed during the war, and not having been since supplied; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following books shall be purchased for the county of Pike, to-wit:

For the County Court—1st, 2d, 3d, and 4th vols. Bibb's Reports; 1st and 2d vols. A. K. Marshall's Reports; 1st, 2d, and 3d vols. Littell's Reports; 1st, 2d, 5th, and 7th vols. T. B. Monroe's Reports; 1st, 3d, 5th, and 7th vols. J. J. Marshall's Reports; 1st, 2d, and 5th vols. Dana's Reports; 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, and 15th vols. B. Monroe's Reports; 1st vol. Metcalfe's Reports.

For Circuit Court—1st, 2d, and 3d vols. Bibb's Reports; 1st vol. A. K. Marshall's Reports; 1st, 3d, and 5th vols. Littell's Reports; 1st vol.

T. B. Monroe's Reports; 1st and 7th vols. J. J. Marshall's Reports; 4th, 5th, and 8th vols. Dana's Reports; 6th and 10th vols. B. Monroe's Reports; 1st vol. Metcalfe's Reports; 1st and 2d vols. Monroe & Harlan's Digest of Kentucky Reports.

For Justices of the Peace—12 copies of the Revised Statutes of Kentucky, 1st and 2d vols.

§ 2. It is made the duty of the State Librarian, immediately upon the passage of this bill, to purchase the books herein specified, and to deliver the same at Frankfort, Kentucky, packed ready for shipping, to the Representative in the Legislature from the county of Pike, whose duty it shall be to deliver the same to the clerk of the Pike county court, and take his receipt therefor, and forward it to the Librarian.

§ 3. If the above named volumes of the Kentucky reports cannot be purchased without purchasing the entire set, the Librarian is directed to purchase two entire sets of Kentucky reports, and he will deliver the several volumes above mentioned as above directed, the remainder of the sets he will retain for the use of the State Library.

§ 4. The State Librarian will certify the amount of money necessary to make the above purchase, for packing, and for paying transportation on the same to Frankfort, to the Auditor, who will draw his warrant on the Treasurer for the amount, who is directed to pay the same out of any money in the Treasury not otherwise appropriated.

§ 5. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Joseph Gardner,	I. T. Martin,
F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
R. T. Baker,	G. A. C. Holt,	E. D. Standeford,
John B. Bruner,	O. P. Johnson,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	Harrison Thompson,
Jno. G. Carlisle,	Henry C. Lilly,	W. L. Vories,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	D. Y. Lyttle,	I. C. Winfrey—25.
A. H. Field,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to provide certain books for the county of Metcalfe,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State be, and he is hereby, directed to

furnish to the circuit court clerk of Metcalfe county, for the use of said county, Stanton's Revised Statutes and the Supplement thereto by Myers, Myers' Code of Practice, Monroe & Harlan's Digest, Cofer's Digest, a complete set of the Reports of the Kentucky Court of Appeals up to Bush, and the public and private acts of the Legislature for the years 1860 to 1866–7, inclusive, and forward the same by express, or otherwise, to said clerk.

§ 2. That if any of the foregoing books cannot be supplied by the State, it shall be the duty of said Secretary to purchase the same, on the best possible terms, and certify the amount thereof to the Auditor, who shall draw his warrant therefor on the Treasurer.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. T. Martin,
F. M. Allison,	Evan M. Garriott,	E. D Standeford,
R. T. Baker,	W. C. Halbert,	Philip Swigert,
Robert Boyd,	G. A. C. Holt,	Harrison Thompson,
Tho. P. Cardwell,	O. P. Johnson,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	Henry C. Lilly,	Ben. J. Webb,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of John French, late sheriff of Powell county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, John French, sheriff of Powell for the year 1863, was unable to collect the revenue in a portion of the county on account of the then disturbed condition of the country; and whereas, the court-house, and all the public records of said county, including the sheriff's books and papers, and the said sheriff's delinquent list for said year, were destroyed by fire, and said sheriff has been compelled to pay the whole revenue of said county, with cost, interest, and damages, and without having the benefit of a delinquent list; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is directed to draw his warrant on the Treasurer in favor of said John French for the sum of

$57 82 damages, and $87 11 for delinquent list, to be paid out of any money not otherwise appropriated.

§ 2. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	A. H. Field,	I. T. Martin,
F. M. Allison,	W. C. Halbert,	John W. F. Parker,
R. T. Baker,	G. A. C. Holt,	E. D. Standeford,
Robert Boyd,	O. P. Johnson,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	Harrison Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	W. L. Vories,
Jno. G. Carlisle,	W. Lindsay,	Ben. J. Webb,
Joseph H. Chandler,	D. Y. Lyttle,	I. C. Winfrey—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Breathitt and Morgan counties,

Reported the same without amendment.

Mr. Carlisle moved the following resolution in relation to said bill, viz:

Resolved, That the bill be, and the same is hereby, committed to the Committee on Finance, with instructions to prepare and bring in a bill providing for supplying all the counties in this Commonwealth with such public books as the county judge of such counties may certify to have been lost or destroyed without the fault or negligence of the officer having custody of the same, and providing some adequate means by which such books may be safely kept or accounted for.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State is hereby empowered and directed to furnish the county courts, circuit courts, and magistrates of Breathitt and Morgan counties, with such books as by law they are entitled to, according to the provisions of chapter 61 of the Revised Statutes, and the several acts amending the same and supplemental thereto, and which books are missing from their offices, having been lost or destroyed, when a certified copy of an order of the county courts of said counties is filed in the office of said Secretary of State, specifying what books are missing from the offices in said counties; and, if it

is necessary to purchase said books, the Secretary of State shall purchase them and report the same to the Auditor, who shall draw his warrant upon the Treasurer for the payment of the same, and the Treasurer shall pay for the same out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	Jno. W. F. Parker,
F. M. Allison,	W. C. Halbert,	I. A. Spalding,
Robert Boyd,	G. A. C. Holt,	E. D. Standeford,
Tho. P. Cardwell,	P. H. Leslie,	Philip Swigert,
Joseph H. Chandler,	Henry C. Lilly,	H. Thompson,
A. D. Cosby,	W. Lindsay,	W. L. Vories,
A. H. Field,	D. Y. Lyttle,	I. C. Winfrey—22.
Joseph Gardner,		

Those who voted in the negative, were—

R. T. Baker,	John G. Carlisle,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	A. C. Vallandingham,
John B. Bruner,	I. T. Martin,	Ben. J. Webb—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of Cumberland county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, James Rowe, a man of color, was found by the inquest of a jury in the Cumberland circuit court to be a lunatic, and was a pauper; he was carried, by order of said court, to the Western Lunatic Asylum, and refused admittance there; was carried back to Cumberland county, and, on account of his dangerous disposition, he was confined in jail of said county till the spring of 1868, when he was carried, by order of said court, to the Eastern Lunatic Asylum, at Lexington; and whereas, the county court of said county has levied a tax upon the people of said county, which has been collected and paid to the jailer of said county, for boarding and taking care of said James Rowe after he was found to be a lunatic—two years and six months—five hundred and seventy-five dollars and fifty cents.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be instructed to draw his

warrant upon the Public Treasury for the said five hundred and seventy-five dollars and fifty cents, in favor of W. O. Allen, the presiding judge of Cumberland county, to be by him appropriated to the payment of the debt of the county incurred for public buildings, or toward the completion of the court-house of said county.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	Joseph Gardner,	John W. F. Parker,
F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
A. K. Bradley,	W. C. Halbert,	E. D. Standeford,
John B. Bruner,	O. P. Johnson,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	Harrison Thompson,
Jno. G. Carlisle,	Henry C. Lilly,	Oscar Turner,
Jos. H. Chandler,	D. Y. Lyttle,	W. L. Vories,
A. D. Cosby,	I. T. Martin,	I. C. Winfrey—25.
A. H. Field,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Lilly—

1. A bill for the benefit of D. C. Froman, Newton Powell, Henry Jacobs, and S. P. Richerson, of Estill county.

On motion of Mr. Vories—

2. A bill for the benefit of the police court of Eminence, in Henry county.

On motion of Mr. Garriott—

3. A bill to legalize the sale of Martin Institute, in Owen county.

On motion of Mr. Chandler—

4. A bill concerning the Adjutant and Quarter-Master General.

On motion of Mr. Thompson—

5. A bill to repeal all laws imposing a specific tax upon, and requiring a license for, standing stud-horses, jack-asses, and bulls.

On motion of Mr. Speaker (Johnson)—

6. A bill to amend an act incorporating the Nelson County Agricultural Association.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on County Courts the 2d and 3d; the Committee on Military Affairs the 4th, and the Committee on Agriculture and Manufactures the 5th and 6th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Paducah and Gulf railroad company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Stanford Female Seminary;

An act to consolidate school districts Nos. 18 and 19, in Kenton county;

An act to incorporate the Vaughn Female Academy, at Owensboro;

An act for the benefit of school district No. 20, in Simpson county;

An act for the benefit of common school district No. 63, in Lawrence county;

An act for the benefit of school district No 13, in Lawrence county;

An act to incorporate the Pleasant Spring High School, in Daviess county;

An act to amend an act, entitled "An act to amend article 3 of chapter 48 of the Revised Statutes," approved October 3d, 1861, and to regulate the number of the Board of Managers of the Eastern Lunatic Asylum of Kentucky, and fix the mode of their appointment, and their terms of office;

An act for the benefit of school district No. 10, in Clinton county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave of indefinite absence was granted to Messrs. Clarke, Cooke, and Thompson.

Mr. Johnson moved the following resolution, viz:

WHEREAS, It is shown by the Auditor's Report that $34,369 19 has been expended, under the head for contingent expenses, among the different public offices of the State; therefore,

Resolved, That the Auditor, without delay, be, and he is hereby, directed to report to the Legislature the amount of salary paid each public officer in this Commonwealth, annually, out of the Treasury; the amount paid for clerk hire in each of the offices; and to give the items that made up the said sum for contingent expenses, as shown in his Report (See Report for 1868, page 36, head "Contingent Expenses.")

Mr. Johnson then moved to dispense with the rule requiring a resolution of inquiry of the State officials to lie one day on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Baker, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. D. Cosby,	D. Y. Lyttle,
R. T. Baker,	A. H. Field,	J. W. F. Parker,
Robert Boyd,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	W. C. Halbert,	Harrison Thompson,
John B. Bruner,	G. A. C. Holt,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	W. L. Vories,
John G. Carlisle,	P. H. Leslie,	I. C. Winfrey—23.
Jos. H. Chandler,	Henry C. Lilly,	

Those who voted in the negative, were—

Mr SPEAKER (Johnson),	E. D. Standeford,	A. C. Vallandingham,
I. T. Martin,	Philip Swigert,	Ben. J. Webb—6.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Leslie, from the Committee on Finance, reported a bill exempting certain property from taxation.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill was then dispensed with.

Pending the consideration of which bill, the Senate adjourned.

SATURDAY, FEBRUARY 27, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act to continue in force an act, entitled "An act to amend article 3, chapter 86, of the Revised Statutes," approved September 30, 1861.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend section 4, article 4, chapter 28, of the Revised Statutes.

An act to amend article 2, chapter 99, Revised Statutes.

An act to amend the road laws for the counties of Hickman, Fulton, and Ballard.

An act to amend an act, entitled "An act to amend an act providing for the erection of public buildings in Lewis county."

That they had passed bills of the following titles, viz:

1. An act for the benefit of Robert McAlister, late sheriff of Green-up county.

2. An act for the benefit of school district No. 2, in Kenton county.

3. An act for the benefit of Jane E. Travis and her children.

4. An act to create the office of deputy constable in the 2d district of Covington.

5. An act for the benefit of the town of Elizaville.

6. An act to amend an act, entitled "An act to amend section 4, article 2, chapter 83, Revised Statutes."

7. An act to amend the 844th section of the Civil Code of Practice.

8. An act to authorize the Attorney General to bring suit against Wm. T. Samuels, late Auditor of the State.

9. An act for the benefit of Rebecca Timmons, widow of John Timmons, deceased,

10. An act to create the office of treasurer in Muhlenburg county.

11. An act for the benefit of the mechanics of Hopkins county.

12. An act for the benefit of the mechanics of the counties of Butler and Edmonson.

13. An act to incorporate the Hopkinsville Hotel Company.

14. An act authorizing the trustees of South Carrollton, in Muhlen-

burg county, to open and close streets and alleys in said town, with the consent of the property-owners.

15. An act to furnish certain officers in Mercer and Clinton counties with public books.

16. An act for the benefit of J. L. Humphries, sheriff of Trigg county.

17. An act to amend an act, entitled "An act to incorporate the Bank of Cadiz."

18. An act to amend chapter 16, article 6, section 3, of the Revised Statutes.

19. An act for the benefit of common school district No. 54, in Trigg county.

20. An act to incorporate Forest Lodge, No. 308, Free and Accepted Masons.

21. An act to incorporate the Laboring Man's Loan and Aid Association, of Louisville.

22. An act to incorporate the town of Concordia.

23. An act to amend and reduce into one the acts incorporating the town of Louisa.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 8th, 15th, and 16th to the Committee on Finance; the 2d and 19th to the Committee on Education; the 3d, 4th, 21st, 22d, and 23d to the Committee on the Judiciary; the 6th, 9th, 11th, 12th, 13th, 14th, 18th, and 20th to the Committee on the Revised Statutes; the 7th to the Committee on the Codes of Practice; the 10th to the Committee on County Courts, and the 17th to the Committee on Banks.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to extend the limits of the town of Warsaw, and to amend, consolidate, and reduce into one all laws pertaining to said town.

An act to charter the Metropolis and Union City railroad company.

An act to amend the charter of the City Banking Company, of Campbell county.

An act to amend an act approved March 2d, 1865, entitled "An act allowing school districts to levy a district school tax."

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts concerning the town of Lagrange," approved 3d of March, 1868.

An act to incorporate the Western Military Academy, at New Castle, Henry county.

An act to charter the Horse Cave High School, in Hart county.

An act to change the boundary of school district No. 47, in Washington county, and 48, in Marion county.

An act to charter the Crittenden Seminary.

An act to authorize the Greenup county court to levy an ad valorem tax for the payment of certain bonds therein mentioned.

An act to incorporate the Jones' Mill and Barnes' Mill turnpike road company.

An act to authorize the Marshall county court to change the State road leading from Columbus to Hopkinsville.

An act to amend an act, entitled "An act for the benefit of the towns of Marion and Birmingham."

An act to amend the charter of the town of Carrollton.

An act empowering the county court of Carter county to levy a tax for the purpose of rebuilding the clerks' offices of the county and circuit courts in said county, and to build fire-proof vaults for the safe-keeping of the public records of said county.

An act to amend an act, entitled "An act to protect graves and graveyards," approved March 9, 1854.

An act to amend an act authorizing and empowering county courts to create additional justices' districts, establish voting precincts in such districts, and fix the boundary lines and places of voting therein, approved March 7th, 1868.

An act to amend an act authorizing the counties of Bourbon, Nicholas, and Fleming to take stock in the Maysville and Lexington railroad company, Northern Division.

An act to amend an act, entitled "An act to incorporate the Owensboro and Russellville railroad company," approved February 27th, 1867.

Mr. C. T. Worthington presented the petition of sundry citizens of Jackson county, praying that the permanent location of the county seat of said county may be submitted to a vote of the county.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to appropriate money to improve the North Fork of the Kentucky river.

Which was twice read and concurred in.

The Senate resumed the consideration of an unfinished report of yesterday, from the Committee on Finance, of a bill, entitled

A bill exempting certain property from taxation.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter all college buildings and seminaries of learning, and all the real estate not exceeding five acres, and all personal property of every kind belonging to any institution of learning in this State, shall be exempt from taxation for any purpose whatever.

§ 2. That all real estate, not exceeding five acres, belonging to any incorporated institution of the Independent Order of Odd Fellows, and all real estate, not exceeding five acres, belonging to any incorporated Lodge of Free and Accepted Masons in the State of Kentucky, shall be exempt from taxation for any purpose whatever. That the provisions of this act shall apply to all hospitals, infirmaries, widows and orphans' asylums, and foundling asylums in this Commonwealth.

§ 3. This act to take effect from its passage.

Mr. Lindsay then moved to amend said bill by striking out the second section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lilly and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	G. A. C. Holt,	W. H. Payne,
F. M. Allison,	O. P. Johnson,	W. L. Vories,
Tho. P. Cardwell,	P. H. Leslie,	Ben. J. Webb,
A. D. Cosby,	W. Lindsay,	W. J. Worthington—14.
Joseph Gardner,	Jno. W. F. Parker,	

Those who voted in the negative, were—

Robert Boyd,	W. C. Halbert,	E. D. Standeford,
A. K. Bradley,	Henry C. Lilly,	Philip Swigert,
John B. Bruner,	D. Y. Lyttle,	A. C. Vallandingham,
John G. Carlisle,	I. T. Martin,	I. C. Winfrey,
Jos. H. Chandler,	I. A. Spalding,	C. T. Worthington—16.
A. H. Field,		

Mr. Lindsay then moved to add to the second section the following proviso:

Provided, That the property so exempt from taxation shall not exceed in value ten thousand dollars.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Leslie, from the Committee on Finance—

A bill concerning the Barren County railroad.

By same—

A bill equalizing certain sales of property for railroad tax.

By same—

A bill concerning Blue Spring Baptist Church, in Barren county.

By same—

A bill for the benefit of R. L. Cooper, John Salyers, and James Howard, securities of W. J. Coffee, late sheriff of Magoffin county.

By same—

A bill for the benefit of Jordan Neal and his securities, as late sheriff of Estill county.

By same—

A bill for the benefit of James Haggard, of Cumberland county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Knob Lick turnpike road company.

By same—

A bill to charter and incorporate the Central turnpike road company.

By same—

A bill to incorporate the London, Grayson, and Ohio River railroad company.

By same—

A bill to incorporate the Gaylord Iron and Manufacturing Company.

By same—

A bill to incorporate the Ballardsville and Christiansburg turnpike company.

By same—

A bill to incorporate the Augusta and Berlin turnpike road company, in Bracken county.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the Paducah and McCracken County Agricultural and Mechanical Society," approved February 2, 1866.

By Mr. Turner, from the same committee—

A bill to incorporate the Paducah Water-works Company.

By Mr. Halbert, from the Committee on Circuit Courts—

A bill to amend an act in regard to Vanceburg, in Lewis county.

By Mr. Swigert, from the Committee on Internal Improvement—

A bill in relation to turnpike roads in which the State holds an interest.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to incorporate the Henderson and Hartford railroad company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred the following bills, viz:

A bill for the benefit of Gilman Trafton;

A bill to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county;

Reported the same without amendment.

Ordered, That the 1st be postponed and made the special order of the day for Tuesday next, and that the 2d be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Carlisle, from the same committee, to whom had been referred a bill to establish an Insurance Department,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was rejected.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of P. A. Lyon.

By same—

An act for the benefit of Tho. R. Russell, jailer of Trigg county.

By same—

An act for the benefit of James Gillem, of Carter county.

By same—

An act for the benefit of John H. Burdett, of Carter county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act, entitled "An act amending the road laws of the county of Gallatin."

By same—

An act to incorporate the Warsaw and South Fork turnpike company.

By same—

An act to amend the charter of the Winchester and Lexington turnpike road company.

By same—

An act to amend the charter of the Independence and Colemansville turnpike road company.

By same—

An act to amend the charter of the Little Flat Creek turnpike road company.

By same—

An act to repeal an act authorizing the Sardis Company to subscribe stock in the Sardis and Mount Olivet turnpike road.

By same—

An act to charter the Murray and Pine Bluff turnpike or gravel road company, in Calloway county.

By same—

An act to amend an act to incorporate the Lexington, Chilesburg, and Winchester turnpike road company.

By same—

An act to amend the charter of the Union and Richwood turnpike road company.

By same—

An act to construct a turnpike road from Fox Run to Tucker's Shop.

By same—

An act to incorporate the Newport and Dayton turnpike road company.

By same—

An act to amend the charter of the Covington and Lexington turnpike road company.

By same—

An act providing for a tax to assist in completing and building turnpike roads in Anderson county.

By same—

An act to amend the charter of the Covington and De Courcey Creek turnpike road company, in Kenton connty.

By same—

An act to incorporate the Lebanon and Calvary turnpike road company.

By same—

An act to incorporate the Four Mile and Twelve Mile turnpike road company, in Campbell county.

By same—

An act to charter the Richmond and Boone's Gap turnpike road company, in Madison county.

By same—

An act, entitled "An act to charter the Mercer County Line and Cove Spring turnpike road company."

By same—

An act to amend an act, entitled "An act to incorporate the Mayslick and Murphysville turnpike road company."

By same—

An act for the benefit of Tate's Creek turnpike road.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend the charter of the town of Calhoon.

By same—

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county," approved February 23, 1854.

By same—

An act concerning the Louisville chancery court.

By same—

An act to provide for indexing certain records in Jefferson county.

By same—

An act requiring actions to be brought against certain persons indebted to the Commonwealth.

By same—

An act to amend the police laws and charter of the town of Independence.

By same—

An act to amend the charter of the city of Covington.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Licking and Big Sandy railroad company.

By Mr. Swigert, from the same committee—

An act to declare Station creek and Buck creek, in Estill county, navigable streams.

By same—

An act to incorporate the Howard's Mill and Owingsville turnpike road company.

By Mr. Carlisle, from the Committee on the Judiciary—

An act for the benefit of Hardin county.

With amendments to the last four named bills.

Which were concurred in.

Ordered, That said bills, the last four as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the second amended bill, the title of which is amended to read,

An act declaring Station Camp creek, Buck creek, and Miller's creek, navigable streams.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act authorizing certain officers to reside temporarily at or in the vicinity of the Seat of Government, without changing or losing their former legal and permanent residence,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	W. C. Halbert,	I. A. Spalding,
A. K. Bradley,	P. H. Leslie,	E. D. Standeford,
John G. Carlisle,	Henry C. Lilly,	Philip Swigert,
Jos. H. Chandler,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	I. C. Winfrey,
Joseph Gardner,	W. H. Payne,	C. T. Worthington—18.

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	Oscar Turner,
Robert Boyd,	O. P. Johnson,	A. C. Vallandingham,
John B. Bruner,	W. Lindsay,	W. J. Worthington—11.
Tho. P. Cardwell,	John W. F. Parker,	

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act to authorize the trustees of Hardinsville to grant John M. Lucas license to keep a tavern;

An act for the protection of farmers and others in the first and second districts in Kenton county;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

The Speaker laid before the Senate the response of the Auditor to a resolution of the Senate of yesterday.

Said response was read as follows, viz:

Office Auditor Public Accounts,
Frankfort, Ky., February 27th, 1869.

Hon. Wm. Johnson, *Speaker of Senate:*

Sir: The annexed statement will show the amount of salary paid each public officer in this Commonwealth, and the amount paid for clerk hire in each of the public offices, as requested by resolution adopted in Senate on yesterday, the 26th inst. I regret to be compelled to report that it will take me some three or four weeks to make out, with the clerical force at my disposal, the items that make up the sum of Contingent Expenses as exhibited on page 36 of my

report. The information desired, however, shall be furnished as soon as it is practicable to make it out.

Very respectfully,
Your obedient servant,
D. HOWARD SMITH, *Auditor.*

EXECUTIVE OFFICERS.

John W. Stevenson, Governor	$5,000 00	
Samuel B. Churchill, Secretary of State	1,500 00	
W. T. Samuels, Assistant Secretary of State	800 00	and fees.
Frank Wolford, Adjutant General	2,400 00	
Fayette Hewitt, Quarter-master General	2,400 00	
John Rodman, Attorney General	500 00	and fees.
James A. Dawson, Register Land Office	2,000 00	
James W. Tate, Treasurer	2,400 00	
A. W. Vallandingham, Librarian and Keeper of Public Property	1,000 00	
Z. F. Smith, Superintendent Public Instruction	1,700 00	
D. Howard Smith, Auditor	2,500 00	
James M. Withrow, Assistant Auditor	2,000 00	
J. A. Thompson, Chairman Board Internal Improvement	1,200 00	
		$25,400 00

CLERK HIRE.

Adjutant General's Office	$2,200 00
Quarter-Master General's Office	2,200 00
Register Land Office	1,900 00
Treasurer's Office	1,000 00
Superintendent Public Instruction's Office	700 00
Auditor's Office	8,000 00
	$16,000 00

JUDGES.

Court of Appeals, four, at $4,000 each	$16,000 00
Circuit Courts, sixteen, at $2,300 each	36,800 00
Court Common Pleas, three, at $2,300 each	6,900 00
Chancery Court, one, at $1,000	1,000 00
Criminal Judge, one, at $2,300	2,300 00
	$63,000 00

ATTORNEYS.

Commonwealth's Attorneys, sixteen, at $500 each, and fees	$8,000

Mr. Bruner then moved the following resolution in relation to said report, viz:

Resolved, That the report of the Auditor be printed, and that the Auditor be, and he is hereby, directed, without any unnecessary delay, to make out and report to the General Assembly, as directed in its order of the 26th inst., in relation to the items for "Contingent Expenses," as directed in said former resolution of the Senate; and that if said report is not completed before the adjournment of this General Assembly, that it be made and printed within thirty days after the adjournment of this session, and ten copies thereof be forwarded to each member of the General Assembly at their homes,

postage paid; and that the report made to-day by the Auditor be printed with the remainder of the report heretofore directed to be made.

The question was then taken on the adoption of said resolution and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Johnson),	W. C. Halbert,	I. A. Spalding,
A. K. Bradley,	O. P. Johnson,	E. D. Standeford,
John B. Bruner,	P. H. Leslie,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay.	Ben. J. Webb,
Jos. H. Chandler,	D. Y. Lyttle,	I. C. Winfrey,
A. D. Cosby,	I. T. Martin,	C. T. Worthington,
A. H. Field,	J. W. F. Parker,	W. J. Worthington—26.
Joseph Gardner,	W. H. Payne,	

In the negative—Robert Boyd.

A message in writing was received from the Governor by Mr. Churchill, Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

Executive Department,
Frankfort, Ky., February 26, 1869.

Gentlemen of the Senate:

I hereby nominate for your consent and approval Madison C. Johnson, Dr. John R. Desha, John Viley, Francis K. Hunt, James A. Grinstead, Wm. Talbot, and David A. Sayre, to be Managers of the Eastern Lunatic Asylum on and after the 1st day of March, 1869.

J. W. STEVENSON.

Ordered, That the further consideration of said communication be postponed until Monday next.

On motion, leave of absence was granted Mr. Swigert on Monday next.

Leave was given to bring in the following bills, viz:

On motion of Mr. Winfrey—

1. A bill for the benefit of Captain William Cross, of Clinton county.

On motion of same—

2. A bill for the benefit of W. T. Jackman, late sheriff of Russell county, and his sureties.

On motion of Mr. Speaker (Johnson)—

3. A bill for the benefit of Nelson county.

On motion of Mr. Swigert—

4. A bill to incorporate the Frankfort Flouring Mill Company.

On motion of Mr. Payne—

5. A bill to establish a court of common pleas for the county of Warren.

On motion of Mr. W. J. Worthington—

6. A bill to incorporate the Little Sandy Railroad, Mining, and Manufacturing Company.

Ordered, That the Committee on Military Affairs prepare and bring in the 1st; the Committee on Finance the 2d and 3d; the Committee on Agriculture and Manufactures the 4th; the Committee on the Judiciary the 5th, and the Committee on Internal Improvement the 6th.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act amending an act authorizing county courts to subscribe stock in turnpike roads, and for the benefit of Harrison county;

An act for the benefit of Magoffin county;

An act to authorize the county court of Calloway county to change the State road leading from Canton, by way of Murray, to Hickman;

An act to prohibit the sale of spirituous liquors within the corporate limits of the town of Sherburne, in Fleming county;

An act to regulate the sale of intoxicating spirits in the town of Clinton, Hickman county;

An act for the benefit of Hopkins county;

An act for the benefit of Taylor W. Samuels, late sheriff of Nelson county;

An act repealing all acts or parts of acts authorizing the trustees of the town of Winchester to grant coffee-house license;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend the law in relation to the selection and payment of jail guards," passed the 9th of March, 1867, so far as Kenton county is concerned;

An act to amend an act, entitled "An act to establish a police judge for the town of Carrollton;"

An act to empower the county court of Bath to submit to the voters thereof a proposition to take stock in turnpikes, and to make valid an order therefor made by said court;

An act for the benefit of the common schools of the city of Newport;

An act for the benefit of the Stanford Male and Female Seminary;

An act concerning school trustees of Paducah;

An act for the benefit of the colored school of Lebanon;

An act to amend an act to incorporate the Bank of Russellville, approved January 2, 1865;

An act to amend an act, entitled "An act to incorporate the German Savings Bank, Covington;"

An act to amend an act, entitled "An act to authorize the county judge of Kenton county to sell the poor-house in said county," approved February 27, 1867;

An act to provide books for the county of Pike;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, MARCH 1, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to amend the charter of the city of Covington.

An act to incorporate Cabin Creek turnpike road company, and to levy a tax to aid in building said road.

An act to incorporate the Kentucky Cheese Company.

An act to incorporate the Winchester Fuel Company.

An act to amend title 5, Civil Code of Practice.

An act to amend the town charter of the town of Morganfield.

An act to incorporate the Frankfort Lumber, Brick, and Implement Manufacturing Company.

An act to extend the corporate limits of Newport.

An act to amend the charters of the Lexington and Frankfort and Louisville and Frankfort railroad companies.

An act to amend the charter of the Owensboro Gas-light Company.

An act to incorporate a Board of Trustees of the Bishop's Fund of the Protestant Episcopal Church, in the Diocese of Kentucky.

An act to incorporate the Shepherdsville, Bardstown Junction, and Pitt's Point turnpike road company.

An act to amend the charter of the Louisville turnpike company.

An act to fix the corporate boundary of Cave City, in Barren county.

An act to amend the charter of the city of Paducah.

An act to extend the limits of the city of Newport.

An act to incorporate the Kentucky and Ohio Bridge Company.

An act to re-enact and amend the town charter of the town of Dixon, in Webster county.

With amendments to the last three named bills.

Which were taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz:

1. An act to amend section 445 of the Civil Code of Practice.

2. An act to amend the charter of the city of Louisville.

3. An act to amend an act providing a general mechanics' lien law for certain cities and counties, so as to apply to the counties of Todd, Marion, Monroe, McLean, Robertson, Crittenden, and Shelby.

4. An act to amend the charter of the town of Russellville.

5. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Princeton."

6. An act for the benefit of the marshal and clerk of the city court of Louisville.

7. An act for the benefit of the Harrodsburg and Cornishville turnpike road company.

8. An act to incorporate the Louisville Agricultural Works.

9. An act to amend section 457 of the Civil Code of Practice.

10. An act to amend section 93, Civil Code of Practice.

11. An act to amend section 112 of the Criminal Code of Practice.

12. An act to amend section 614, Civil Code.

13. An act to incorporate Jefferson College, at Jeffersontown.

14. An act to regulate the granting of coffee-house license of the city of Paris.

15. An act to incorporate the North Middletown and Thatcher's Mill turnpike road company.

16. An act to incorporate the Flat Rock and Caldwell's Mill turnpike road company.

17. An act in regard to the Jefferson Pond Draining Company.

18. An act to establish a work-house, hospital and pest-house, in the county of Bourbon.

19. An act to authorize the voters of Bourbon county to vote on a proposition to subscribe to the stock of certain railroads, and to provide for issuing bonds of said county to pay the same.

20. An act to amend the charter of the town of Crittenden.

21. An act to establish an additional voting precinct in the county of Jefferson.

22. An act to incorporate the Kentucky Land Company.

23. An act to incorporate the Southern Mail Company.

24. An act to incorporate the Ladies' Hebrew Benevolent Society.

25. An act for the benefit of the German Evangelical Church of Louisville.

26. An act to incorporate the Floral Park Association, of Louisville.

27. An act to amend an act, entitled "An act to amend the charter of the Masonic Fraternity, of Louisville," approved February 2, 1860.

28. An act, entitled "An act to amend the charter of the town of Slaughtersville."

29. An act to charter the Central Express Company.

30. An act to incorporate the Metropolis and Kentucky Bridge Company.

31. An act to incorporate the Beargrass Beef and Pork Packing and Manufacturing Company.

32. An act to incorporate the Metropolis and Southwestern railroad company.

33. An act to amend the charter of the town of Sonora.

34. An act to amend an act, entitled "An act to incorporate the Masonic Widows and Orphans' Home and Infirmary."

35. An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company," approved March 7th, 1868.

36. An act to amend the charter of the town of Washington, in Mason county.

37. An act to amend the charter of the Great Crossings and Stamping Ground turnpike road.

38. An act incorporating the Kenton County Air-line turnpike company.

39. An act to incorporate the Star Mining and Manufacturing Company.

40. An act to charter the Calhoon Mills Company.

41. An act to incorporate the Lebanon and Raywick turnpike road company.

42. An act to incorporate the town of Visalia, in Kenton county.

43. An act to incorporate the Covington Social Club.

44. An act to amend an act, entitled "An act to incorporate the town of Osceola."

45. An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company."

46. An act to amend an act, entitled "An act to incorporate the Wyoming and Bald Eagle turnpike road, in Bath county," approved March 9, 1867.

47. An act to charter the Briensburg Library Association, in Marshall county.

48. An act to amend the charter of the McLean County Agricultural and Mechanical Association.

49. An act to amend the charter of the Georgetown, Oxford, and Leesburg turnpike road.

50. An act to incorporate the town of Greencastle.

51. An act to incorporate the Mayfield and Boydsville turnpike road company.

52. An act to incorporate the Evening Star Temple of Honor, Boyd county.

53. An act to incorporate the Montgomery Masonic Temple Company.

54. An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867.

55. An act for the benefit of the Maysville and Lexington railroad company, Northern Division.

56. An act to amend an act, entitled "An act providing for the subscription of stock in railroad companies by the county of Mason."

57. An act to amend and reduce into one the several acts in relation to the city of Frankfort.

58. An act to authorize the assignment of executions in favor of the Commonwealth against sheriffs and their sureties.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 9th, 10th, 11th, 12th, and 58th to the Committee on the Codes of Practice; the 2d, 5th, 6th, 14th, 17th, 20th, 23d, 26th, 30th, 32d, 36th, 42d, 43d, 44th, and 54th to the Committee on the Judiciary; the 3d, 4th, 18th, 22d, 24th, 28th, 29th, 33d, and 50th to the Committee on Revised Statutes; the 7th, 15th, 16th, 35th, 37th, 38th, 41st, 45th, 46th, 49th, 51st, 55th, 56th, and 57th to the Committee on Internal Improvement; the 8th, 31st, 39th, 40th, and 48th to the Committee on Agriculture and Manufactures; the 13th and 47th to the Committee on Education; the 19th to the Committee on County Courts; the 21st to the Committee on Privileges and Elections, and the 25th, 27th, 34th, 52d, and 53d to the Committee on Religion.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Pleasant Spring High School, in Daviess county.

An act to amend an act, entitled "An act to amend article 3 of chapter 48 of the Revised Statutes," approved October 3d, 1861, and

to regulate the number of the Board of Managers of the Eastern Lunatic Asylum of Kentucky, and fix the mode of their appointment, and their terms of office.

An act to consolidate school districts Nos. 18 and 19, in Kenton county.

An act to incorporate the Vaughn Female Academy, at Owensboro.

An act to incorporate the Stanford Female Seminary.

An act for the benefit of school district No. 10, in Clinton county.

An act for the benefit of school district No. 13, in Lawrence county.

An act for the benefit of school district No. 20, in Simpson county.

An act for the benefit of common school district No. 63, in Lawrence county.

On motion of Mr. Lindsay, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to authorize the trustees of Hardinsville to grant John M. Lucas license to keep a tavern.

After a short time, said bill was handed in at the Clerk's desk.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate took up for consideration the message of the Governor in relation to the Managers of the Eastern Lunatic Asylum.

Mr. Spalding then moved to postpone the further consideration of said message, and that it be referred to the Committee on Finance, with instructions to report thereon on Thursday next, at 10½ o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	P. H. Leslie,	Harrison Thompson,
Jos. M. Alexander,	Henry C. Lilly,	A. C. Vallandingham,
A. K. Bradley,	W. Lindsay,	Ben. J. Webb,
John G. Carlisle,	I. T. Martin,	I. C. Winfrey,
Wm. A. Dudley,	W. H. Payne,	C. T. Worthington,
Joseph Gardner,	I. A. Spalding,	W. J. Worthington—19.
W. C. Halbert,		

Those who voted in the negative, were—

F. M. Allison,	Tho. P. Cardwell,	G. A. C. Holt,
Robert Boyd,	Jos. H. Chandler,	O. P. Johnson,
John B. Bruner,	A. D. Cosby,	Jno. W. F. Parker—9.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill to improve the navigation of the South Fork of Cumberland river,

Together with sundry amendments proposed thereto,

Reported the same, with the expression of opinion that said proposed amendments be rejected, and that the bill should pass.

The question was then taken on concurring in the report of the committee, and it was decided in the affirmative, so far as the amendments were concerned.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

On motion,

Ordered, That the further consideration of said bill be postponed until to-morrow.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred the petition of sundry citizens of Newport, in relation to the vending of meats, marketing, &c., asked to be discharged from the further consideration of said petition.

Which was granted.

The Senate took up for consideration the amendment proposed by the committee to a bill for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all other, except Life Insurance Companies.

Ordered, That said amendment be made the special order of the day for to-morrow.

The Senate also took up for consideration a bill to establish a State Board of Immigration.

Ordered, That said bill be made the special order of the day for Wednesday, the 3d inst.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill in relation to contracts for the payment of currency or coin,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

1. A bill to incorporate the German Building Association, No. 1, of Newport.

By same—

2. A bill to authorize the city of Columbus to issue bonds and levy a tax for wharf and harbor purposes.

By same—

3. A bill regulating petitions for rehearing in the Court of Appeals.

By Mr. Holt, from the same committee—

4. A bill to incorporate the Spencer County Mutual Insurance Company.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

5. A bill for the benefit of Josh Bell county.

By Mr. Gardner, from the same committee—

6. A bill for the benefit of the citizens of the town of Manchester, in Clay county.

By Mr. Bradley, from the Committee on Revised Statutes—

7. A bill for the benefit of the trustees of the town of Greenupsburg.

By same—

8. A bill to reduce into one the several acts concerning the town of Madisonville.

By same—

9. A bill for the benefit of C. S. Green.

By Mr. Martin, from the Committee on Religion—

10. A bill to amend an act, entitled "An act to prohibit the carrying of concealed deadly weapons."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 3d was ordered to be printed and placed in the orders of the day; the 10th was referred to the Committee on the

Judiciary, and the 1st, 2d, 4th, 5th, 6th, 7th, 8th, and 9th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Paducah and Gulf railroad company.

An act to charter the Deposit Bank of Glasgow.

An act for the benefit of Hopkins county.

An act to authorize the county court of Calloway county to change the State road leading from Canton, by way of Murray, to Hickman.

An act for the benefit of Magoffin county.

An act amending an act authorizing county courts to subscribe stock in turnpike roads, and for the benefit of Harrison county.

An act to prohibit the sale of spirituous liquors within the corporate limits of the town of Sherburne, in Fleming county.

An act to regulate the sale of intoxicating spirits in the town of Clinton, Hickman county.

An act for the benefit of Taylor W. Samuels, late sheriff of Nelson county.

An act repealing all acts or parts of acts authorizing the trustees of the town of Winchester to grant coffee-house license.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to repeal an act, entitled 'An act to amend article 2, chapter 42, of the Revised Statutes, title 'Guardian and Ward,'" approved February 18th, 1864,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. T. Martin,
F. M. Allison,	W. C. Halbert,	I. A. Spalding,
A. K. Bradley,	G. A. C. Holt,	Harrison Thompson,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	D. Y. Lyttle,	I. C. Winfrey—19.
Wm. A. Dudley,		

Those who voted in the negative, were—

Robert Boyd,	O. P. Johnson,	C. T. Worthington,
John B. Bruner,	Henry C. Lilly,	W. J. Worthington—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the Lexington, Harrodsburg, and Perryville turnpike road company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. C. T. Worthington and Thompson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	J. W. F. Parker,
Jos. M. Alexander,	Joseph Gardner,	W. H. Payne,
F. M. Allison,	W. C. Halbert,	I. A. Spalding,
A. K. Bradley,	O. P. Johnson,	Harrison Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	Ben. J. Webb,
John G. Carlisle,	W. Lindsay.	I. C. Winfrey,
Jos. H. Chandler,	D. Y. Lyttle,	C. T. Worthington,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—24.

Those who voted in the negative, were—

Robert Boyd,	John B. Bruner,	P. H. Leslie—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred bills from the House of Representatives, entitled

An act for the benefit of J. L. Humphries, sheriff of Trigg county,

Asked to be discharged from the further consideration of said bill, and that it be referred to the Committee on Finance.

Which was granted, and the bill so referred.

Mr. Bruner, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the town of Clintonville,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

An act to amend and reduce into one the acts incorporating the town of Louisa.

By same—

An act to incorporate the town of Concordia.

By same—

An act for the benefit of Jane E. Farris and her children.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

An act for the benefit of the mechanics in Casey county.

By same—

An act to amend an act, entitled "An act to establish the county of Josh Bell," approved February 28th, 1867.

By same—

An act to establish the Valley ferry.

By Mr. Bradley, from the Committee on Revised Statutes—

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend section 1, article 3, chapter 32, title 'Elections,' of the Revised Statutes,' approved February 11, 1858."

By same—

An act to authorize the marshal of the town of Cloverport to appoint a deputy.

By same—

An act to authorize Amanda Burnett to establish a ferry across the Big Sandy river.

By same—

An act to revive and extend an act, entitled "An act for the benefit of J. H. Terrell, administrator of G. B. Grundy, deceased."

By same—

An act for the benefit of the mechanics of Hopkins county.

By same—

An act to repeal an act, entitled "An act for the benefit of Elijah A. G. Ross."

By same—

An act to amend an act, entitled "An act to punish certain trespasses in Jefferson and other counties," passed the 23d of December, 1861, so as to apply its provisions and the amendment thereto, passed the 8th of March, 1862, to the county of Grant.

By same—

An act to prevent the sale of ardent spirits in or near Bohontown.

By same—

An act to amend the several acts relating to the town of Greenville.

By Mr. Bruner, from the same committee—

An act to re-enact an act, entitled "An act for the benefit of Sarah S. Fowler, of Livingston county," approved 30th January, 1850.

By same—

An act, entitled "An act to amend the charter of the town of Mt. Sterling."

By same—

An act to prescribe penalties for illegal charges made and collected by street railways.

By same—

An act to re-enact article 18, chapter 36, of the Revised Statutes.

By Mr. Payne, from the same committee—

An act to apply the general mechanics' lien law to Hart county.

By same—

An act to create a mechanics' lien law for Marshall county.

By same—

An act to amend an act, entitled "An act to amend the charter of the town of Cadiz," approved April 4th, 1861.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion, Mr. Thompson was added to the Committee on Propositions and Grievances.

Mr. Alexander presented the petition of the common school trustees of district No. 3, in Fleming county, asking the passage of an act for the benefit of said district.

Which was received, the reading dispensed with, and referred to the Committee on Education.

Mr. Leslie offered the following resolution, viz:

Resolved, That after this day the meeting of the Senate shall be at ten o'clock in the morning, and continue till one o'clock, P. M.; and then, that there shall be an evening session of two hours each day, commencing at three o'clock in the evening.

Which was twice read and adopted.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the town of Carlisle, in Nicholas county, to take stock in its corporate capacity in the Maysville and Lexington railroad company;

An act to release to the town of Smithland all right and title of the State of Kentucky in and to Cumberland Hospital;

An act for the benefit of school districts Nos. 19, 38, 50, 58, 61, 18, and 26, in Lawrence county;

An act for the benefit of school districts Nos. 3 and 19, of Lawrence county;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to appropriate money to improve the North Fork of the Kentucky river;

An act to perfect the records of the Bullitt county court;

An act in relation to the public square of Greenup county;

An act to change the time of holding the circuit and criminal courts in the 12th judicial district;

An act to authorize the appointment of a treasurer for Trimble county;

An act changing the time of holding the quarterly courts of Hancock county;

An act to amend and reduce into one the acts in relation to the town of Ashland;

An act to authorize the sale of part of Fairview Cemetery;

An act to change the time for holding the Franklin county court;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, MARCH 2, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills from the House of Representatives of the following titles, viz:

An act for the protection of game in certain counties of the State.

An act to charter the Lexington and Carter County Mining Company.

That they had disagreed to the passage of a bill from the Senate, entitled

An act to extend the boundary of the town of Lancaster, in Garrard county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Augusta.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to amend an act, entitled "An act to incorporate the town of Mayslick," approved February 1st, 1839.

An act to amend the charter of the Iron Hill railway company, and the title thereof.

An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company."

An act to repeal an act, entitled "An act to incorporate the town of Consolation, in Shelby county."

An act to amend the charter of the city of Columbus.

An act to incorporate the Germania Market Company, of Louisville.

An act to charter the Wood-house Company.

An act to amend the charter and to extend the corporation of the town of Independence.

An act for the benefit of the town of Greensburg.

An act to incorporate Venus Lodge, No. 154, Independent Order of Odd Fellows, at Florence, Boone county.

An act to incorporate the Odd Fellows' Temple Association, of Lexington.

An act to incorporate Warsaw Royal Arch Chapter, No. 97.

An act to amend an act, entitled "An act to incorporate the Ursuline Society and Academy of Education," approved January 8, 1864.

An act to incorporate the United Circle Daughters of Rebecca.

An act to amend the charter of the Southern Mutual Life Insurance Company, of Kentucky.

An act to incorporate the Cynthiana Malt and Brewery Company.

An act to amend the charter of the Lexington, Harrodsburg, and Perryville turnpike road company.

An act to incorporate the Greenupsburg Building Association.

An act to amend the charter of Jefferson Seminary, in Barren county.

An act to charter the Glasgow Manufacturing Company.

An act to incorporate the Greenupsburg Academy Company.

An act to amend the charter of the Northeastern Kentucky Agricultural and Mechanical Association.

An act to amend an act, entitled "An act to incorporate the town of New Concord, in Calloway county."

An act to incorporate the town of Moscow, Hickman county.

An act to amend the charter of the city of Augusta, in Bracken county.

An act for the benefit of John and Mary E. Seaton, of Greenup county.

An act incorporating the Franklin Manufacturing Company.

An act to incorporate the St. Louis Bertrand Society, of Louisville.

An act to incorporate the Louisville and Beargrass railway company.

An act to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company.

An act to amend an act, entitled "An act to incorporate the Capital Mutual Life Insurance Company," approved February 17, 1866.

An act to amend an act approved February 16, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg," and also of the several acts amendatory thereof.

An act to amend an act, entitled "An act to incorporate the Ashland Library Company," approved March 9, 1868.

An act to include George Field in the town of Shepherdsville.

An act for the benefit of the citizens of Barboursville, in Knox county.

An act to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county.

An act to amend an act, entitled "An act to incorporate the Evansville, Henderson, and Nashville railroad company," approved January 27, 1867.

With amendments to the last two named bills.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties.

2. An act to amend the charter of the Henry, Oldham, and Jefferson turnpike road company.

3. An act to amend an act, entitled "An act to incorporate the Versailles and McCracken Mill turnpike company."

4. An act to incorporate the Louisville Edge tool Factory.

5. An act for the benefit of Dovin Hendron.

6. An act to incorporate the Paducah Boat Building and Dock Company.

7. An act to amend the charter of the city of Henderson.

8. An act to incorporate the Mt. Vernon and Boone's Gap turnpike road company.

9. An act to amend the several acts incorporating the town of Falmouth, in Pendleton county, approved January 31, 1867.

10. An act to incorporate the Raccoon Mining and Manufacturing Company.

11. An act to amend an act, entitled "An act to authorize the election of a police judge in the town of Irvine," approved 30th March, 1861.

12. An act to amend the charter of the town of Danville.

13. An act to incorporate Marble City Mining and Manufacturing Company, of Henderson county,

14. An act to amend the charter of the town of Shelby City.

15. An act authorizing the trustees of the town of Falmouth to sell certain alleys in said town.

16. An act to charter the Louisville Rose Pearl Company.

17. An act to incorporate the Versailles Mutual Insurance Company.

18. An act concerning Clark Road street, in the city of Henderson.

19. An act to amend the charter of West Covington.

20. An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county."

21. An act to incorporate the Cloverport Printing Company.

22. An act to incorporate the Springfield Mutual Insurance Company.

23. An act to amend the several acts incorporating the town of Falmouth.

24. An act to incorporate the Brandenburg and Webster turnpike road company.

25. An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

26. An act to incorporate the Grier's Creek turnpike road company, in Woodford county.

27. An act to incorporate Paradise Lodge, No. 255, Independent Order of Odd Fellows.

28. An act to incorporate the Owingsville, Slate Furnace, Iron Ore Bank turnpike road company, in Bath county.

29. An act to amend and reduce into one the several acts relating to the town of Uniontown.

30. An act to incorporate the Harmony turnpike road company, in Owen county.

31. An act creating the Mt. Sterling Sentinel a legally authorized newspaper.

32. An act to incorporate the Champion Coal and Towboat Company.

33. An act to incorporate the Plain City Woolen Manufacturing Company, at Paducah.

34. An act to incorporate the Owingsville and Ficklin Tanyard turnpike road company, in Bath county.

35. An act to incorporate the Highland Lodge, No. 71, Independent Order of Odd Fellows, in Uniontown.

36. An act to incorporate the Butler and Pribble's Cross-roads turnpike road company.

37. An act to incorporate the National Fire and Marine Insurance Company, of Louisville.

38. An act to incorporate Mt. Olivet Lodge, No. 291, Free and Accepted Masons, in Robertson county.

39. An act to incorporate the Boone's Knob Monumental Association.

40. An act to amend the charter of the town of Woodburn, in Marion county.

41. An act to incorporate the Hopkinsville and Nashville Coal Mining Company.

42. An act to incorporate Crab Orchard Lodge, No. 432, Ancient York Masons.

43. An act to charter the Spring Station and Midway turnpike company.

44. An act to incorporate the Mason and Fleming turnpike road company.

45. An act to incorporate the Versailles and Mt. Vernon turnpike road company.

46. An act to incorporate the Frankfort Fire and Marine Insurance Company.

47. An act to incorporate the Germantown and North Fork turnpike road company, in Mason county.

48. An act to incorporate the Cabin Creek, Springdale, and Maysville turnpike road company.

49. An act to incorporate the Upper Blue Lick turnpike road company, in Mason ceunty.

50. An act to incorporate the Washington and Lee's Woods turnpike road company, in Mason county.

51. An act to incorporate the town of Salem, in Livingston county.

52. An act to incorporate Muhlenburg Lodge, No. 415, Free and Accepted Ancient York Masons.

53. An act to incorporate the Danville and McMinnville railroad company.

54. An act to amend an act approved February 16th, 1867.

55. An act to incorporate the town of Breman, in Muhlenburg county.

56. An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867.

57. An act to incorporate the Highland Cemetery.

58. An act to incorporate the town of Berlin, in Bracken county.

59. An act to amend the charter of the Salomon Gas Company.

60. An act to change the name and extend the limits of the town of Berry Station, in Harrison county.

61. An act to incorporate the Hanson Coal Company.

62. An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company."

63. An act to incorporate the Crooksville and Muddy Creek turnpike road company, in Madison county.

64. An act to authorize the sale of the Burksville Male and Female Academy.

65. An act enlarging the powers of the trustees of the town of Edmonton, in Metcalfe county.

66. An act to amend the charter of the town of Mt. Olivet.

67. An act to incorporate the Irvine and Miller's Creek Turnpike and Bridge Company.

68. An act to amend an act, entitled "An act to incorporate the town of Trenton," approved March 5th, 1868.

69. An act to incorporate the town of Pembroke, in Christian county.

70. An act to charter the Morning View Branch turnpike road company, in Kenton county.

71. An act to amend an act to amend and reduce into one the several acts incorporating a company to turnpike a road from Frankfort to Lexington, by way of Versailles, so far as it applies to the Versailles and Anderson turnpike road company.

72. An act to prohibit the sale of intoxicating liquors in Cave Spring Station, in Logan county.

73. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Owensboro and Russellville railroad company,'" approved 27th February, 1867.

74. An act to incorporate Christian Church, at Rush Branch, in Lincoln county.

75. An act to amend an act, entitled "An act to charter the Stanford Female Seminary."

76. An act to amend the charter of the town of Hustonville.

77. An act to incorporate the Guthrie Insurance Company, of Louisville.

78. An act to incorporate the Stanford and Milledgeville turnpike road company.

79. An act to amend an act, entitled "An act to amend the charter of the town of Stanford," approved March 6th, 1868.

80. An act to revive and amend the charter of the Stanford and Mason's Gap turnpike road company.

81. An act to amend the charter of the city of Ludlow.

82. An act for the benefit of the town of Franklin.

83. An act to amend an act incorporating the town of Lawrenceburg.

84. An act to incorporate the Woodford Hotel Company.

85. An act to amend an act, entitled "An act to incorporate the town of Midway, in Woodford county."

86. An act to amend an act to incorporate the Henderson Fair Company.

87. An act to incorporate Edmonton Chapter, No. 100, Royal Arch Masons, of Kentucky.

88. An act to incorporate the Monterey and Cedar Creek turnpike road company, in Owen county.

89. An act to amend an act, entitled "An act to incorporate the Hopkins Mastodon Mining, Iron, and Manufacturing Company."

90. An act to charter the Hebron Academy Company, of Boyle county.

91. An act to amend the act, approved February, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg," and also of the several acts amendatory thereof.

92. An act to amend the charter of the Bedford and Milton turnpike road company.

93. An act for the benefit of the town of Franklin.

94. An act to amend the charter of the Southern Life Insurance Company.

95. An act to change the line of the Springfield civil district, in Washington county.

96. An act for the benefit of the county of Warren.

97. An act for the benefit of Hubbard Williamson, of Pike county.

98. An act to amend an act, entitled "An act for the benefit of persons holding lands lying back of other lands in the vicinity of any of the navigable streams in this State."

99. An act to prohibit the sale of ardent spirits in Knox county.

100. An act to authorize the election of a police judge, town marshal, &c., in Prestonsville, Carroll county.

101. An act to amend an act, entitled "An act to establish a road leading from London, Laurel county, to Booneville, in Owsley county."

102. An act to authorize McLean county to vote on the removal of the court-house, in Calhoon.

103. An act to enlarge the voting precincts of Mt. Sterling.

104. An act to change the dividing line between Marion and Washington counties.

105. An act to change the county line between Taylor and Green counties.

106. An act to change the place of voting in voting precinct No. 6, in Nicholas county.

107. An act to enlarge the boundary of voting precinct No. 6, in Crittenden county.

108. An act to change the place of voting in precinct No. 6, in Crittenden county.

109. An act to amend the charter of the town of Marion, in Crittenden county.

110. An act to repeal an act, entitled "An act for the benefit of James Sudduth," approved February 25, 1848.

111. An act for the benefit of Geo. W. Belcher and Wm. Harrold, of Breathitt county.

112. An act to amend the charter of Owingsville, in Bath county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance; the 2d, 3d, 4th, 8th, 18th, 24th, 26th, 28th, 30th, 34th, 36th, 43d, 44th, 45th, 47th, 48th, 49th, 50th, 53d, 62d, 63d, 67th, 70th, 71st, 73d, 78th, 80th, 88th, and 92d to the Committee on Internal Improvement; the 5th, 104th, 105th, and 111th to the Committee on Propositions and Grievances; the 6th, 9th, 14th, 15th, 16th, 19th, 23d, 31st, 33d, 37th, 46th, 51st, 54th, 55th, 56th, 58th, 60th, 77th, 94th, 97th, and 98th to the Committee on the Judiciary; the 7th to the Committee

on the Codes of Practice; the 10th, 13th; 61st, and 89th to the Committee on Agriculture and Manufactures; the 11th, 79th, 81st, 82d, 83d, 84th, 85th, 86th, 96th, 100th, 101st, and 102d to the Committee on County Courts; the 12th, 17th, 20th, 21st, 22d, 25th, 27th, 29th, 32d, 40th, 41st, and 59th to the Committee on the Revised Statutes; the 35th, 38th, 39th, 42d, 52d, 74th, 87th, and 99th to the Committee on Religion; the 57th, 64th, 75th, and 90th to the Committee on Education; the 65th, 66th, 68th, 69th, 72d, 76th, 91st, 93d, 109th, 110th, and 112th to the Committee on Circuit Courts, and the 95th, 103d, 106th, 107th, and 108th to the Committee on Privileges and Elections.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act in relation to the public square of Greenup county.

An act to perfect the records of the Bullitt county court.

An act changing the time of holding the quarterly courts of Hancock county.

An act to amend and reduce into one the acts in relation to the town of Ashland.

An act to change the time for holding the Franklin county court.

An act to change the time of holding the circuit and criminal courts in the 12th judicial district.

An act to authorize the sale of part of Fairview Cemetery.

An act to appropriate money to improve the North Fork of the Kentucky river.

An act to authorize the appointment of a treasurer for Trimble county.

An act to amend the charters of the Lexington and Frankfort and Louisville and Frankfort railroad companies.

An act to amend section 4, article 4, chapter 28, of the Revised Statutes.

An act to amend article 2, chapter 99, Revised Statutes.

An act to amend the road laws for the counties of Hickman, Fulton, and Ballard.

An act to amend an act, entitled "An act to amend an act providing for the erection of public buildings in Lewis county."

The following bills were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

A bill to amend the charter of the Nelson County Agricultural Association.

By same—

A bill to authorize the trustees of the Calloway Male and Female Institute to sell certain property and reinvest the proceeds.

By same—

A bill to amend the charter of the Clark County Agricultural Society.

By same—

A bill to incorporate the Frankfort Flouring Mill Company.

By Mr. Alexander, from the Committee on Internal Improvement—

A bill to incorporate the Little Sandy Valley Railway, Mining, and Manufacturing Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chandler, from the Committee on Agriculture and Manufactures, reported a bill to repeal all laws imposing a specific tax upon, and requiring a license for standing, stud horses, jacks, and bulls.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all acts and parts of acts imposing a specific tax upon stud-horses, jacks, and bulls, or requiring a license for standing the same, be, and they are hereby, repealed: *Provided*, They shall be subject to an ad valorem tax as other personal property.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thompson and Baker, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	W. H. Payne,	Harrison Thompson,
John G. Carlisle,	I. A. Spalding,	W. L. Vories,
Jos. H. Chandler,	E. D. Standeford,	I. C. Winfrey,
Wm. A. Dudley,	Philip Swigert,	W. J. Worthington—13.
I. T. Martin,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Henry C. Lilly,
Jos. M. Alexander,	A. H. Field,	W. Lindsay.
F. M. Allison,	Joseph Gardner,	D. Y. Lyttle,
R. T. Baker,	W. C. Halbert,	J. W. F. Parker,
Robert Boyd,	O. P. Johnson,	Ben. J. Webb,
John B. Bruner,	P. H. Leslie,	C. T. Worthington—19.
Tho. P. Cardwell,		

So said bill was rejected.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Martin, from the Committee on Banks—

An act to amend an act, entitled "An act to incorporate the Bank of Cadiz."

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

An act to incorporate the Green County Agricultural and Mechanical Association.

By same—

An act to prevent the destruction of fish in Clover creek, in Breckinridge county.

By Mr. W. J. Worthington, from the same committee—

An act to repeal an act, entitled "An act to prevent the destruction of fish in Little river, in Trigg county," approved February 21, 1868.

By same—

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26th, 1868.

By same—

An act for the benefit of Boyle county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chandler, from the Committee on Agriculture and Manufactures, to whom had been referred a bill from the House of Representatives, entitled

An act to prevent deer-driving in that portion of Lyon county lying between the Cumberland and Tennessee rivers,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

Mr. Bradley then moved to amend said bill by exempting the citizens of Caldwell county from the provisions of the bill, so far as they were prohibited from hunting, &c.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Baker, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley, A. C. Vallandingham, A. H. Field—4.
John G. Carlisle,

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	O. P. Johnson,	E. D. Standeford,
R. T. Baker,	P. H. Leslie,	Philip Swigert,
Robert Boyd,	Henry C. Lilly,	Harrison Thompson,
Tho. P. Cardwell,	W. Lindsay,	W. L. Vories,
Jos. H. Chandler,	D. Y. Lyttle,	I. C. Winfrey,
W. C. Halbert,	I. T. Martin,	C. T. Worthington—19.
G. A. C. Holt,		

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Chandler, from the Committee on Agriculture and Manufactures, to whom had been referred a bill from the House of Representatives, entitled

An act in relation to warehousemen and warehouse receipts,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
F. M. Allison,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	G. A. C. Holt,	Harrison Thompson,
Robert Boyd,	O. P. Johnson,	Oscar Turner,
A. K. Bradley,	W. Lindsay,	A. C. Vallandingham,
Jos. H. Chandler,	D. Y. Lyttle,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—26.
Wm. A. Dudley,	Jno. W. F. Parker,	

Those who voted in the negative, were—

John B. Bruner,	W. L. Vories,	C. T. Worthington—5.
P. H. Leslie,	I. C. Winfrey,	

The Senate took up for consideration a bill to improve the navigation of the South Fork of Cumberland river.

Ordered, That said bill be recommitted to the Committee on Internal Improvement, with instructions to report thereon at three o'clock this afternoon.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill for the incorporation and regulation of Life Insurance Companies,

Reported the same, with an amendment as a substitute for said bill.

Ordered, That said bill and amendment as proposed by the committee be made the special order of the day for the 3d inst.

The Senate took up for consideration the substitute proposed by the Committee on the Judiciary to a bill for the incorporation and regulation of Fire, Marine, Health, Accident, Live Stock, and all others, except Life Insurance Companies,

Together with the amendment proposed by Mr. Turner.

The amendment proposed by the committee as a substitute for said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter any number of persons, not less than twelve, may associate to form an insurance company for any other purpose than life insurance; they shall publish a notice of such intention once in each week for at least four weeks, in a public newspaper in the county in which such insurance company is proposed to be located, and shall, also, under their hands and seals, make a certificate specifying the name assumed by such company and by which it shall be known, the object for which said company shall be formed, the amount of its capital stock, and

the place where the principal office of said company shall be located, which certificate shall be acknowledged, certified, and forwarded to the Auditor, who shall submit the same to the Attorney General for examination; and if found by him to be in accordance with the provisions of this act, and not inconsistent with the Constitution and laws of this State and of the United States, he shall certify the same and deliver it back to the said Auditor, who shall have the right to reject any name or title of any company applied for, when he shall deem the name too similar to one already appropriated, or likely to mislead the public.

§ 2. Upon the approval of said certificate by the Attorney General and the Auditor, the said Auditor shall cause it to be recorded in a book to be kept for the purpose; and said persons, when incorporated, and having in all respects complied with the provisions of this act, are hereby authorized to carry on the business of insurance, as named in such certificate of incorporation; and by the name and style provided therein, shall be deemed a body corporate, with succession; they and their associates, successors, and assigns, to have the same general corporate powers, and be subject to all the obligations and restrictions of this act.

§ 3. No joint stock company shall be incorporated under this act with a smaller capital than one hundred thousand dollars nor more than one million dollars, as may be specified in the certificate of incorporation, which stock shall be divided into shares of one hundred dollars each; nor shall any company, on the plan of mutual insurance, commence business in this State until agreements have been entered into for insurance, with at least two hundred applicants, the premiums on which shall amount to not less than fifty thousand dollars, of which at least twenty-five thousand dollars shall have been paid in cash, and notes of solvent parties, founded on actual and *bona fide* applications for insurance, shall have been received for the remainder. No one of the notes received as aforesaid shall amount to more than five hundred dollars, and no two shall be given for the same risk, or be made by the same person or firm, except where the whole amount of such notes shall not exceed five hundred dollars; nor shall any note be represented as capital stock unless a policy be issued upon the same within thirty days after the organization of the company, upon a risk which shall be for no shorter period than twelve months. Each of said notes shall be payable in part or in whole, at any time when the directors shall deem the same requisite for the payment of losses by fire or inland navigation, and such incidental expenses as may be necessary for transacting the business of said company. And no note shall be accepted as part of such capital stock, unless the same shall be accompanied by a certificate of a justice of the peace of the town or city where the person making such note shall reside, that the person making the same is, in his opinion, pecuniarily good and responsible for the same; and no such note shall be surrendered during the life of the policy for which it was given.

§ 4. Having published the notice and filed publisher's proof of such publication with the Auditor, together with the certificate as required by the first section of this act, the persons named in the certificate of incorporation, or a majority of them, shall be commissioners to open books for the subscription of stock in the company, at such times and places as they shall deem convenient and proper, and shall keep the same open until the full amount specified in the certificate is subscribed; or, in case the business of such company is proposed to be conducted on the plan of mutual insurance, then open books to receive propositions and enter into

agreements in the manner and to the extent specified in the third section of this act.

§ 5. The affairs of any company organized under this act shall be managed by not more than twenty-one nor less than five directors, all of whom shall be stockholders. Within one month after the subscription books shall have been filed, a majority of the subscribers shall hold a meeting for the election of directors, each share entitling the holder thereof to one vote; and the directors then elected shall continue in office until the first or third Monday in January thereafter, as the by-laws of the company may direct, and until others have been chosen to succeed them in the trust, and have accepted the same.

§ 6. It shall be lawful for any insurance company organized under this act, or incorporated under any law of this State, to invest its capital and the funds accumulated in the course of its business, or any part thereof, in bonds and mortgages, or deeds of trust or unencumbered improved real estate within the State of Kentucky, worth fifty per cent. more than the sum loaned thereon, exclusive of buildings, unless such buildings are insured, and the policy transferred to said company; and also in the stocks of this State, or stocks or treasury notes of the United States; and also in the stocks and bonds of any county or incorporated city in this State, authorized to be issued by the Legislature, and to lend the same, or any part thereof, on the security of such stocks or bonds, or treasury notes, or upon bonds and mortgages and deeds of trust, as aforesaid; and to change and reinvest the same as occasion may, from time to time, require; but any surplus money over and above the capital stock of any such insurance companies, or any insurance companies incorporated under any law of this State, may be invested in or loaned upon the pledge of the public stock or bonds of the United States, or any one of the States, or the stocks, bonds, or other evidences of indebtedness of any solvent dividend paying institutions incorporated under the laws of this State, or of any other of the States of the United States, except their own stock: *Provided always*, That the current market value of such stocks, bonds, or other evidences of indebtedness, shall be at all times, during the continuance of such loans, at least ten per cent. more than the sum loaned thereon; and any such company may sell and convey the same in accordance with any agreement made and entered into, in writing, between any such company and the party making the pledge of such securities.

§ 7. Upon receiving notification that the proceedings required by the sections foregoing have been had, the Auditor shall cause an examination to be made, either by himself or by some disinterested person, specially appointed by him for that purpose, who shall certify under oath the capital herein required of the company named, according to the nature of the business proposed to be transacted by such company, has been paid in, and is possessed by it in money, or in such stocks and bonds and mortgages as are required by the sixth section of this act; or if a mutual company, that it has received, and is in actual possession of, the capital, premiums, or *bona fide* engagements of insurance, or other securities, as the case may be, to the extent and value required by the sixth section of this act; and the name and residence of the maker of each premium note forming part of the capital, and the amount of such note, shall be returned to the said Auditor; and the corporators or officers of such company shall be required to certify, under oath, that the capital exhibited to those persons is *bona fide* property of the company. Such certificates shall be filed in the office of the said Auditor, who shall thereupon deliver to such

company a certified copy of said certificates, which, on being placed on record in the office of the clerk of the county court where the company is to be located, by the said clerk, in a book provided for that purpose by him, shall be their authority to commence business and issue policies; and such certified copy of said certificates may be used in evidence for or against said company, with the same effect as the originals.

§ 8. It shall be lawful for any company organized under this act, first, to insure houses, buildings, and all other kinds of property, against loss or damage by fire, in and out of the State; and to make all kinds of insurance on goods, merchandise, and other property, in the course of transportation, whether on land or water, or on any vessel or boat, wherever the same may be; second, to make insurance upon the health of individuals, and against personal injury, disablement, or death, resulting from traveling or general accidents by land or water; third, to insure the fidelity of persons holding places of public or private trust; fourth, to receive on deposit and insure the safe-keeping of books, papers, moneys, stocks, bonds, and all kinds of personal property; fifth, to insure horses, cattle, and other live stock, against loss or damage by accident, theft, or death, or any unknown or contingent event whatever, which may be the subject of legal insurance; to lend money on bottomry or respondentia, and to cause itself to be insured against any loss or risk it may have incurred in the course of its business, and upon the interest which it may have in any property by means of any loan or loans which it may have made on mortgage, bottomry, or respondentia, and generally to do and perform all other matters and things proper to promote these objects: *Provided*, That no company shall be organized to issue policies of insurance for more than one of the above five mentioned purposes; and no company that shall have been organized for either of said purposes, shall issue policies of insurance for any other; and no company organized under this act, or transacting business in this State, shall expose itself to loss on any one risk or hazard, to an amount exceeding twenty per cent. on its paid up capital, unless the excess shall be reinsured by the same in some good and reliable company: *And provided*, That the restriction as to amount of risk any company shall assume, shall not apply to companies organized to guarantee the fidelity of persons in places of public or private trust, nor to companies that receive on deposit and guarantee the safe-keeping of books, papers, moneys, and other personal property.

§ 9. The annual meeting for the election of directors shall be holden on the first or third Monday in January, as the by-laws of the company may direct: *Provided, however*, That if, for any cause, the stockholders shall fail to elect directors at any annual meeting, they may hold a special meeting on some subsequent day for the purpose, by giving notice thereof thirty days in some newspaper in general circulation in the county where the principal office of the company shall be kept; and the directors chosen at any such annual or special meeting shall continue in office until the next annual meeting, and until their successors duly elected shall have accepted.

§ 10. The directors shall choose a president from their own number, and shall fill all vacancies that may arise in the board or in the presidency thereof; and the board of directors thus constituted, or a majority of them, when convened at the office of the company, shall be competent to exercise all the powers vested in them by this act.

§ 11. The directors of any such company shall have power to appoint a secretary, and any other officers or agents necessary for transacting the business of the company, paying such salaries, and taking such securities

as they may judge reasonable; they may ordain and establish by-laws and regulations not inconsistent with this act, or with the Constitution and laws of this State and of the United States, as shall appear to them necessary for regulating and conducting the business of the company; and it shall be their duty to keep full and correct entries of their transactions, which shall at all times be open to the inspection of the stockholders.

§ 12. All policies or contracts of insurance made or entered into by the company, may be made, either with or without the seal thereof; they shall be subscribed by the president or such other officer as may be designated by the directors for that purpose, and shall be attested by the secretary, and, being so subscribed and attested, they shall be obligatory on the company.

§ 13. Transfers of stock may be made by any shareholder, or his legal representative, subject to such restrictions as the directors shall, from time to time, make and establish in their by-laws, except as provided in sections thirty-one and thirty two of this act.

§ 14. That whenever any company organized under this act, with less than the maximum capital limited in section three, shall, in the opinion of the directors thereof, require an increased amount of capital, they shall, if authorized by the holders of a majority of the stock, file with the Auditor of State a certificate setting forth the amount of such desired increase, not exceeding said maximum, and thereafter such company shall be entitled to have the increased amount of capital fixed by said certificate; and the examination of securities composing the capital stock thus increased, shall be made in the same manner as is provided in section seven of this act, for capital stock originally paid in.

§ 15. It shall not be lawful for the directors, trustees, or managers of any insurance company to make any dividend, except from the surplus profits arising from their business; and in estimating such profits there shall be reserved therefrom a sum equal to fifty per cent. of the amount received for premiums on unexpired risks and policies, which are hereby declared to be unearned premiums; and, also, there shall be reserved all sums due the corporation on bonds and mortgages, bonds, stocks, and book accounts, or other securities, of which no part of the principal or interest thereon has been paid during the last year, and for which foreclosure or suit has not been commenced for collection, or which, after judgment obtained thereon, shall have remained more than two years unsatisfied, and on which interest shall not have been paid; and, also, there shall be reserved all interest due or accrued, and remaining unpaid. Any dividend made contrary to these provisions shall subject the company making the same to a forfeiture of its charter to be enforced by a proceeding in the nature of a *quo warranto*, which shall be prosecuted by the attorney for the Commonwealth in any county in which said company has an office or transacts business.

§ 16. No company organized under this act shall purchase, hold, or convey, real estate, excepting for the purposes and in the manner herein set forth, to-wit:

1. Such as shall be requisite for its convenient accommodation in the transaction of its business; or,

2. Such as shall have been mortgaged to it in good faith, or conveyed by deed of trust, by way of security for loans previously contracted, or for money due; or,

3. Such as shall have been conveyed to it in satisfaction of debts previously contracted in their legitimate business, or for money due; or,

4. Such as shall have been purchased at sales upon judgment, decrees, or mortgages, or deed of trust obtained or made for such debts; and it shall not be lawful for any such company to purchase, hold, or convey real estate in any other case, or for any other purpose; and all such real estate as may be acquired as aforesaid, and which shall not be necessary for the accommodation of such company in the transaction of its business, shall be sold and disposed of within five years after such company shall have acquired title thereto, unless the company shall procure a certificate from the Auditor that the interests of the company will suffer materially by a forced sale thereof, in which event the sale may be postponed for such period as the said Auditor shall direct in said certificate.

§ 17. All notes deposited with any mutual insurance company at the time of its organization, as provided in section three, shall remain as security for all losses and claims until the accumulation of the profits, invested as required by the sixth section of this act, shall equal the amount of cash capital required to be possessed by stock companies organized under this act, the liability of each note decreasing proportionately as the profits are accumulated; but any note which may have been deposited with any mutual insurance company, subsequent to its organization, in addition to the cash premium on any insurance effected with such company, may, at the expiration of the time of such insurance, be relinquished and given up to the maker thereof, or his representatives, upon his paying his proportion of losses and expenses which may have accrued thereon during such term. The directors or trustees of any such company shall have the right to determine the amount of the note to be given in addition to the cash premium by any person insured in such company; but in no case shall the note be more than four times the whole amount of the cash premium. And every person effecting insurance in any mutual company, and also their heirs, executors, administrators, and assigns, continuing to be so insured, shall thereby become members of said corporation during the period of insurance, and shall be bound to pay for losses and such necessary expenses as aforesaid, accruing in and to said company, in proportion to the amount of his deposit note or notes. The directors shall, as often as they deem necessary, after receiving notice of any loss or damage by fire sustained by any member, and ascertaining the same, or after the rendition of any judgment against said company for loss or damage, settle and determine the sums to be paid by the several members thereof as their respective portion of such loss, and publish the same in such manner as they shall see fit, or as the by-laws shall have prescribed; and the sum to be paid by each member shall always be in proportion to the original amount of his deposit note or notes, and shall be paid to the officers of the company within thirty days next after the publication of said notice. And if any member shall, for the space of thirty days after the publication of said notice, and after personal demand for payment shall have been made, neglect or refuse to pay the sum assessed upon him as his proportion of any loss as aforesaid, in such case the directors may sue for and recover the whole amount of his deposit note or notes, with cost of suit; but execution shall only issue for assessments and costs as they accrue, and every such execution shall be accompanied by a list of losses for which the assessment is made. If the whole amount of deposit notes shall be insufficient to pay the loss occasioned by any fire or fires, in such case the sufferers insured by the said company shall receive, toward making good their respective losses, a proportional share of the whole amount of said notes, according to the sums by them respectively insured; but no member shall

ever be required to pay, for any loss occasioned by fire or inland navigation, more than the whole amount of his deposit note.

§ 18. Every insurance company hereafter organized as provided in this act shall, if it be a mutual company, embody the word "mutual" in its title, which shall appear upon the first page of every policy and renewal receipt; and every company doing business as a cash stock company shall, upon the face of its policy, in some suitable manner, express that such policy is a stock policy. Nor shall any company transact the business of insurance in this Commonwealth on both the stock and mutual plans.

§ 19. It shall be the duty of the president or vice president and secretary of each company organized under this act, or incorporated under any law of this State, annually, on the first day of January, or within one month thereafter, to prepare, under oath, and deposit in the office of the Auditor, a statement of the condition of such company on the thirty-first day of December then next preceding, exhibiting the following facts and items, in the following form, namely:

FIRST. The amount of the capital stock of the company.

SECOND. The property or assets held by the company, specifying:

1. The value, as nearly as may be, and the location, of the real estate held by such company.

2. The amount of cash on hand and deposited in banks to the credit of the company, specifying in what bank the same is deposited.

3. The amount of cash in the hands of agents and in course of transmission.

4. The amount of loans secured by bonds and mortgages, or deeds of trust, constituting the first lien on real estate, on which there shall be less than one year's interest due or owing.

5. The amount of loans on which interest shall not have been paid within one year previous to such statement.

6. The amount due the company on which judgments have been obtained.

7. The amount of stocks of this State, of the United States, of any incorporated city of this State, and of any other stocks owned by the company, specifying the amount, number of shares, and par and market value of each kind of stock.

8. The amount of stocks held thereby as collateral security for loans, with the amount loaned on each kind of stock, its par value and market value.

9. The amount of assessments on stock or premium notes, paid and unpaid.

10. The amount of interest actually due and unpaid.

11. The amount of premium notes on which policies are issued.

THIRD. The liabilities of such company, specifying:

1. The amount of losses due and yet unpaid.

2. The amount of claims for losses resisted by the company.

3. The amount of losses incurred during the year, including those claimed and not yet due, and of those reported to the company upon which no action has been taken.

4. The amount of dividends declared and due, and remaining unpaid.

5. The amount of dividends, either cash or script, declared but not yet due.

6. The amount of money borrowed and security given for the payment thereof.

7. The amount of all other existing claims against the company.

FOURTH. The income of the company during the preceding year, specifying:

1. The amount of cash premiums received.
2. The amount of notes received for premiums.
3. The amount of interest money received.
4. The amount of income received from other sources.

FIFTH. The expenditures during the preceding year, specifying:

1. The amount of losses paid during the year, stating how much of the same accrued prior, and how much subsequent, to the date of the preceding statement, and the amount at which losses were estimated in such preceding statement.
2. The amount of dividends paid during the year.
3. The amount of expenses paid during the year, including commissions and fees to agents, and salaries to officers of the company, specifying in detail each item.
4. The amount paid in taxes.
5. The amount of all other payments and expenditures.

§ 20. The Auditor is hereby authorized and empowered to address any inquiries to the officers of any insurance company, in relation to its doings and condition, or any other matter connected with its transactions; and it shall be the duty of any company so addressed to promptly reply, in writing, verified by the oath of its secretary or other chief officer, to any such inquiries.

§ 21. The statement of any company, the capital of which is composed, in whole or in part, of notes, shall, in addition to the foregoing, exhibit the amount of notes originally forming the capital, and also what proportion of said notes is still held by such company and considered capital. Every insurance company, organized under any law of this State, failing to make and deposit such statement, or to reply to any inquiry of the said Auditor, shall be subject to a penalty of five hundred dollars; and an additional five hundred dollars for every month that such company shall continue thereafter to transact any business of insurance.

§ 22. It shall be the duty of the Auditor to cause to be prepared and furnished to each of the companies, and to the attorneys or agents of companies incorporated by other States and foreign governments, printed forms of the statements required by this act; and he may, from time to time, make such changes in the form of such statements as shall seem to him best adapted to elicit from the companies a true exhibit of their condition in respect to the several points hereinbefore enumerated.

§ 23. It shall be the duty of the Auditor to cause the information contained in the statements required by the foregoing section to be arranged in a tabular form, and prepare the same in a single document for printing, including a report of the receipts and expenditures of his office in this department during the year. Such report shall be made on or before the first day of March, and ten hundred and fifty copies shall be printed for the use of the Auditor, and seven hundred and fifty for the use of the Legislature.

§ 24. It shall not be lawful for any insurance company, association, or partnership, organized or associated for any purposes specified in this act, incorporated by or organized under the laws of any other State of the United States or any foreign government, directly or indirectly, to take risks or transact any business of insurance in this State, unless possessed of the amount of one hundred thousand dollars paid in cash of actual capital; and any such company desiring to transact any such business as aforesaid, by an agent or agents in this State, shall file with the

Auditor a written instrument, duly signed and sealed, appointing an attorney for such company in the county in this State in which the principal office or agency of such company is located, to acknowledge service of process for and in behalf of such company in this State, consenting that service of process, mesne or final, upon any such attorney, shall be taken and held to be as valid as if served upon the company according to the laws of this or any other State, and waiving all claim or right of error by reason of such acknowledgment or service; and also a certified copy of their charter or deed of settlement, together with a statement, under the oath of the president or vice president, or other chief officer, and the secretary of the company, for which he or they may act, stating the name of the company and place where located; the amount of its capital, with a detailed statement of the facts and items as required from companies organized under the laws of this State, as per section nineteen; also a copy of the last annual report, if any, made under any law of the State by which such company was incorporated; and no agent shall be allowed to transact business for any company whose capital is impaired to the extent of twenty per cent. thereof, while such deficiency shall continue: *Provided*, That no agent of such company authorized to effect or procure insurance shall be appointed attorney, as aforesaid, for any such company, and service of process upon such attorney in any county in this State shall be deemed good and valid, and authorize a trial of the cause in the court whence such process issued.

§ 25. Before the Auditor shall issue license to any agent of any insurance company incorporated by any foreign government, or any association or partnership acting under the laws of any foreign government, there shall be filed in his office a statement setting forth the act of incorporation or charter, or the articles of association, or by-laws under which they act, and setting forth the matters required by the preceding section of this act to be specified; and satisfactory evidence shall be furnished to the Auditor that such company has on deposit in the United States, for the protection of its policy-holders who are residents of the United States, the sum of two hundred thousand dollars, invested in the bonds of some one or more of the States or of the United States, or in some safe dividend-paying stocks in the United States, or in mortgages upon improved real estate, worth fifty per cent. more than the sum loaned thereon, which statement shall be verified by the oath of the president of such company, its general agent in the United States, or the agent applying for such license; and, upon due filing of such statement and furnishing the Auditor with satisfactory evidence of such deposit or investment, it shall be his duty to issue license to the agent or agents applying for the same: *Provided, however*, That the current market value of such deposits or investments shall at no time be less than two hundred thousand dollars.

§ 26. The statements and evidences of investment required of foreign companies, as above, shall be renewed from year to year, in such manner and form as may be required by said Auditor, with an additional statement of the amount of premiums received and losses incurred in this State during the preceding year, so long as such agency continues; and the said Auditor, on being satisfied that the capital, securities, and investments remain secure, as hereinbefore provided, shall furnish a renewal of his certificate, as aforesaid, and the agent or agents obtaining such certificate shall cause the same to be recorded in the office of the clerk of the county in which such agency shall be established within the month of January. But any company organized under or incorporated by any foreign government may furnish and file such annual statements and evi-

dences in the month of November in each year, made out for the year ending on the preceding thirty-first day of December: *Provided*, That such company shall also furnish a supplementary statement during the month of January for the year ending on the preceding thirty-first day of December, verified by the manager of such company residing in the United States; such supplementary statement shall comprise a report of their business and affairs in the United States, as required from companies organized in this State, together with any other information that may be required by the Auditor.

§ 27. Any violation of any of the provisions of the foregoing sections relating to foreign companies shall subject the party violating to a penalty of five hundred dollars for each violation, and of the additional sum of five hundred dollars for each month during which any such agent shall neglect to file such affidavits and statements as are herein required. Every agent of any insurance company shall, in all advertisements of such agency, publish the location of the company, giving the name of the city, town, or village, in which the company is located, and the State or government under the laws of which it is organized. The term agent or agents, used in the foregoing sections, shall include an acknowledged agent or surveyor, or any other person or persons, who shall, in any manner, directly or indirectly, aid in transacting the insurance business of any insurance company not incorporated by the laws of this State. The provisions of the foregoing sections shall apply to all foreign companies, partnerships, associations, and individuals, whether incorporated or not.

§ 28. In case of neglect or refusal to make such annual statement, as aforesaid, all persons acting in this State as agents, or otherwise, in transacting the business of insurance for said companies, corporations, associations, partnerships, or individuals, shall be subject to the same penalties provided by law in case of the failure of any insurance company, organized under the laws of this State, to make an annual statement as now provided by law; and, in addition thereto, shall be liable to indictment in any court of competent jurisdiction; and, upon conviction, shall be confined in the penitentiary for not less than six nor more than twelve months, at the discretion of the jury.

§ 29. It shall be the duty of the Auditor, whenever he shall deem it expedient so to do, at his option, to appoint one or more persons, not officers of any insurance company doing business in this State, who, before entering upon the discharge of the duty, shall take an oath to perform faithfully and impartially the business with which they are charged, to examine into the affairs of any insurance company incorporated in this State, or doing business by its agents in this State, or to make such examination himself; and it shall be the duty of the officers or agents of such company doing business in this State to cause their books to be opened for the inspection of the Auditor, or the person or persons so appointed, and otherwise to facilitate such examination so far as it may be in their power to do; and for that purpose the said Auditor, or person or persons so appointed by him, shall have power to examine, under oath, the officers and agents of any company relative to the business of said company; and whenever the said Auditor shall deem it for the interest of the public so to do, he shall publish the result of such investigation in one or more papers in this State; and whenever it shall appear to the said Auditor, from such examination, that the assets of any company incorporated in this State are reduced more than twenty per cent. below the capital stock required by this act, or its charter, he may direct the officers thereof to require the stockholders to pay in the amount of such deficiency

within such period as he may designate in such requisition, not exceeding ninety days, or he shall communicate the fact to the Attorney General, whose duty it shall then become to apply to any circuit or chancery court for an order requiring them to show cause why the business of such company should not be closed, and the court shall thereupon proceed to hear the allegations and proofs of the respective parties; and in case it shall appear to the satisfaction of said court that the assets and funds of said company are not sufficient, as aforesaid, or that the interests of the public so require, the said court shall decree a dissolution of said company and distribution of its effects. The court shall have power to refer the application of the Attorney General to a referee, to inquire into and report upon the facts stated therein.

§ 30. Any company receiving the aforesaid requisition from the said Auditor, shall forthwith call upon its stockholders for such amounts as will make its capital equal to the amount fixed by the charter of said company; and in case any stockholder of such company shall refuse or neglect to pay the amount so called for, after notice personally given or by advertisement, in such time and manner as the said Auditor shall approve, it shall be lawful for the said company to require the return of the original certificate of stock held by such stockholder, and in lieu thereof to issue new certificates for such number of shares as the said stockholder may be entitled to in the proportion that the ascertained value of the funds of the said company may be found to bear to the original capital of the said company; the value of such shares for which new certificates shall be issued to be ascertained under the direction of the said Auditor, and the company paying for the fractional parts of shares; and it shall be lawful for the directors of such company to create new stock and dispose of the same, and to issue new certificates therefor, to an amount sufficient to make up the original capital of the company. And in the event of any additional losses accruing upon new risks, taken after the expiration of the period limited by the said Auditor in the aforesaid requisition for the filling up of the deficiency in the capital of such company, and before said deficiency shall have been made up, the directors shall be individually liable to the extent thereof.

§ 31. If, upon such examination, it shall appear to the said Auditor that the assets of any company chartered on the plan of mutual insurance under this act are insufficient to justify the continuance of such company in business, it shall be his duty to proceed in relation to such company in the same manner as herein required in regard to joint stock companies; and the trustees or directors of such company are hereby made personally liable for any losses which may be sustained upon risks taken after the expiration of the period limited by the said Auditor for filling up the deficiency in the capital, and before such deficiency shall have been made up. Any transfer of the stock of any company organized under this act, made during the pending of any such investigation, shall not release the party making the transfer from his liability for losses which may have accrued previous to the transfer.

§ 32. The Auditor shall be authorized to examine into the condition and affairs of any insurance company, as provided for in this act, doing business in this State, not organized under the laws of this State, or cause such examination to be made by some person appointed by him; and whenever it shall appear to the satisfaction of said Auditor that the affairs of any such company are in an unsound condition, he shall revoke the certificates granted in behalf of such company, and shall cause a notification thereof to be published in one or more newspapers of general circu-

lation; and the agent or agents of such company is, after such notice, required to discontinue the issuing of any new policy, or the renewal of any previously issued; and every agent or other person, who shall continue in any manner to aid or engage in issuing policies or making contracts for any such company, shall be liable to indictment in court of competent jurisdiction; and, upon conviction thereof, shall be confined in the penitentiary for not less than six nor more than twelve months.

§ 33. Every penalty provided for by this act shall be sued for and recovered in the name of the Commonwealth of Kentucky, by the prosecuting attorney of the county in which the company or the agent or agents so violating shall be situated; and one half of said penalty, when recovered, shall be paid into the treasury of said county, and the other half to the informer of such violation; and in the case of the non payment of such penalty, the party so offending shall be liable to imprisonment for a period not exceeding six months, in the discretion of any court having cognizance thereof. Such penalties may also be sued for and recovered in the name of the State of Kentucky, by the Attorney General; and when sued for and collected by him, shall be paid into the State Treasury.

§ 34. Every county court clerk shall demand and receive for recording the certificates or licenses mentioned in this act the same fees that are allowed by law for recording deeds and other instruments of writing.

§ 35. Whenever the existing or future laws of any other State of the United States shall require of insurance companies incorporated by or organized under the laws of this State, and having agencies in such other States, or of the agents thereof, any deposit of securities in such State for the protection of policy-holders, or otherwise, or any payment for taxes, fines, penalties, certificates of authority, license fees, or otherwise, greater than the amount required for such purposes from similar companies of other States by the then existing laws of this State, then, and in every such case, all companies of such States establishing or having heretofore established an agency or agencies in this State shall be, and are hereby, required to make the same deposit for a like purpose with the Auditor of this State, and to pay to said Auditor for taxes, fines, penalties, certificates of authority, license fees, or otherwise, an amount equal to the amount of such charges and payments imposed by the laws of such State upon the companies of this State and the agents thereof.

§ 36. It shall be the duty of every insurance company of the kind provided for in this act, doing business in this State, organized under the laws of this State or of any other State or nation, to publish, at least once a year, in some newspaper of general circulation, in every county where such company has an agent or transacts business, a certificate from the Auditor that such company has, in all respects, complied with the laws of the State relating to insurance. Said certificate shall also contain a statement, under the oath of the president or secretary of such insurance company, of the actual amount of paid up capital, the aggregate amount of assets and liabilities at the date of such certificate, together with the aggregate income and expenditures of such company for the year preceding the date of such certificate.

§ 37. The necessary expenditure of any examination made, or ordered to be made, by the Auditor under this act, shall be certified to by him, and paid by the company examined.

§ 38. That all insurance companies doing any business provided for under section one of this act, or heretofore incorporated by the laws of this Commonwealth, are required to make all the returns and perform all the requirements of companies organized under this act, and are hereby

made subject to all the penalties and are entitled to all the benefits of this act, the same as if organized thereunder: *Provided, however*, That where the capital stock of such companies shall consist in part of stock notes, and at least fifty per cent. of the capital stock of such company shall have been paid before the first day of July, 1869, the remainder of said notes may continue to be held until they shall be paid up by the dividends of such companies, made in accordance with the provisions of section fifteen of this act, and all such dividends shall be applied to their payment, until said stock notes are fully discharged; and it shall be the duty of the said companies to furnish to the Auditor, in connection with their annual statement, a list of said stock notes, with names of the principals and sureties, the original amounts, and the amounts remaining unpaid, with the certificate of a justice of the peace of the town or city where the persons making such notes shall reside that the persons making them are, in his opinion, pecuniarily good and responsible for the same.

§ 39. That hereafter whenever any company, association, partnership, person or persons, or agent, transacting the business of insurance within this Commonwealth, under authority derived from any other State or country, shall show, to the satisfaction of the Auditor, that they have made an actual and *bona fide* investment of the total amount of its annual net premiums received in this Commonwealth, in the bonds of this Commonwealth, or in those of some county or incorporated city of this Commonwealth, authorized by law to issue such bonds, or in the mortgage bonds of some railroad company incorporated by the laws of this Commonwealth, or in the stocks or bonds of some solvent dividend-paying institution incorporated by the laws of this Commonwealth, such company, association, partnership, person or persons, or agent, shall pay, annually, into the State Treasury, at the time required by law, a tax of two and one half per centum upon the net amount of premiums received during the year for and on account of business transacted within this Commonwealth, after deducting all losses paid during the year within this Commonwealth, and said tax shall be in lieu of the tax of five per centum upon the gross receipts now required by law of such companies, associations, partnerships, person or persons, or agents: *Provided, however*, That the amount of said investments shall not, at any time, be impaired or diminished by any such company, association, partnership, person or persons, or agents, transacting the business of insurance in this Commonwealth.

§ 40. The agents referred to in the foregoing sections shall, on the first Mondays of May and November, in each year, file with the clerk of the county court of the county in which he resides and transacts business, a true and correct list and statement of all such premiums received, or agreed to be received, within the six months next preceding, verified by his oath before the clerk, and pay to the clerk the tax aforesaid. The agent or person who violates any of the provisions of this and the preceding section, or fails to comply with the same, besides the amount of tax, shall forfeit and pay one thousand dollars; and the principals of such agents shall also be liable to the like penalty, and may be proceeded against by proper remedies in law or equity, whereby to secure and compel the payment of the same.

§ 41. That all insurance companies doing business in this State shall pay to the Auditor of Public Accounts, for services rendered said companies, the following fees, viz: For filing and preserving certified copy of charter, ten dollars; for filing an original or annual statement, twenty

dollars; for each original or renewal license, with certified copy of statement, ten dollars; which fees shall be paid by the agent or agents, or companies, before acting under the license.

§ 42. That from and after the passage of this act it shall be unlawful for any company or companies to make any contract or contracts, to have effect within the limits of this Commonwealth, which, singly or in the aggregate, shall grant indemnity greater than three fourths in actual value of any loss occurring by fire originating on premises occupied by or under the control of the assured person for whose benefit said insurance was made: *Provided, however*, If any such contract be made, it shall not be void as between the parties to the same; but the corporation or other person granting it, shall forfeit the entire premium received for the same; and in the event of loss, the insured shall forfeit one half of the indemnity collected; in either case, one half of the penalty to go to the informer, and the other half to the credit of Sinking Fund.

§ 43. That all companies, associations, partnerships, persons, or agents doing business of insurance in this Commonwealth under authority derived from any other State or foreign government shall, on the first day of July, 1869, and on the first day of January, 1870, and semi annually thereafter, return to the Auditor, verified as now required by law, a complete account of the gross premiums received by such company, association, partnership, person, or agent, since the last returns were made, and the tax on premiums hereinbefore provided for shall be paid direct into the Treasury of the Commonwealth; and hereafter no clerk of a county court shall have authority to receive or receipt for any such tax.

§ 44. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The amendment proposed by Mr. Turner reads as follows, viz:

Add to the bill the following additional section, viz:

Every insurance company proposing to take risks in this State shall, before they are licensed by the Auditor, or permitted to take risks of any character, deposit with the Auditor of Public Accounts at least fifty thousand dollars' worth of Federal Government bonds, county, city, or railroad bonds, and, upon the decrease in value of any of said stocks so deposited more than ten per cent., the Auditor shall immediately notify the company depositing the same, and they shall, within twenty days, make good the depreciation in other bonds or stocks above mentioned.

Pending the consideration of the bill, the hour arrived for taking a recess until 3 o'clock, P. M.

At 3 o'clock, P. M., the Senate, in pursuance of adjournment, met and proceeded to business.

The first business being the consideration of the amendment proposed by Mr. Turner,

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. H. Field,	Oscar Turner,
F. M. Allison,	G. A. C. Holt,	W. L. Vories,
A. K. Bradley,	D. Y. Lyttle,	I. C. Winfrey—9.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	W. C. Halbert,	I. A. Spalding,
R. T. Baker,	O. P. Johnson,	E. D. Standeford,
Robert Boyd,	P. H. Leslie,	Philip Swigert,
John B. Bruner,	Henry C. Lilly,	H. Thompson,
John G. Carlisle,	W. Lindsay,	Ben. J. Webb,
Joseph H. Chandler,	I. T. Martin,	C. T. Worthington,
A. D. Cosby,	John W. F. Parker,	W. J. Worthington—22.
Joseph Gardner,		

Mr. Carlisle then moved to amend said substitute as follows, viz:

Add to the 39th section the following: "Except for the payment of losses accruing in this Commonwealth."

Which was adopted.

Mr. Dudley then moved to amend said substitute as follows, viz:

Amend section three, line four, by striking out the words "into shares of one hundred dollars each," and inserting in lieu thereof the following: "Into shares of such amount as may be fixed by the company, not less than twenty-five nor more than five hundred dollars each."

Which was adopted.

Mr. Spalding then moved further to amend the substitute as follows, viz:

Add the following proviso to section twenty-four:

Provided further, That nothing herein shall be so construed as to prevent the service of mense or final process on the acting agent of any such company residing in the county in which any loss may be sustained, and judgments or other orders being rendered or made on such process in said county.

Which was adopted.

Mr. Spalding moved further to amend the substitute as follows, viz:

Section twenty-four, line eleven, after the word "located," add the words "which county shall be designated therein."

Which was adopted.

Mr. Dudley then moved to amend said substitute by striking out the forty-second section.

Which was adopted.

Mr. Lindsay then moved to amend said substitute as follows, viz:

Section twenty-eight, line four, after the word "individuals," insert the words "whose duty it shall be to make such statements."

Which was adopted.

Mr. Lindsay moved further to amend said substitute as follows, viz:

Section twenty-eight, line one, after the words "in case of," insert the words "knowing and willful."

Which was adopted.

Mr. Turner then moved to amend said substitute as follows, viz:

Section thirty-nine, line fourteen, strike out the words "two and one half per cent.," and insert in lieu thereof the words "five per cent."

Which was rejected.

The question was then taken on the adoption of the amendment proposed by the committee as a substitute, as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide books for the county of Pike.

An act for the benefit of the common schools of the city of Newport.

An act for the benefit of the Stanford Male and Female Seminary.

An act to amend an act to incorporate the Bank of Russellville, approved January 2, 1865.

An act to amend an act, entitled "An act to amend the law in relation to the selection and pay of jail guards," passed the 9th of March, 1867, so far as Kenton county is concerned.

An act for the benefit of the colored school of Lebanon.

An act concerning school trustees of Paducah.

An act to amend an act, entitled "An act to establish a police judge for the town of Carrollton."

An act to amend an act, entitled "An act to authorize the county judge of Kenton county to sell the poor-house in said county," approved February 27, 1867.

An act to empower the county court of Bath to submit to the voters thereof a proposition to take stock in turnpikes, and to make valid an order therefor made by said court;

An act to amend an act, entitled "An act to incorporate the German Savings Bank, Covington."

Mr. Alexander, from the Committee on Internal Improvement, according to order, reported a bill to improve the navigation of the South Fork of Cumberland river,

With an amendment as a substitute therefor.

Ordered, That the further consideration of said bill and proposed amendment be made the special order for the 3d inst., at 10¼ o'clock, A. M.

Mr. Vallandingham read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That, for the better preservation of the flags now in the Hall of the State-house, the Quarter-Master General be directed to have them removed to the State Arsenal.

Mr. Winfrey moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lilly and C. T. Worthington, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Baker,	Joseph H. Chandler,	I. C. Winfrey,
Robert Boyd,	W. C. Halbert,	C. T. Worthington,
John B. Bruner,	O. P. Johnson,	W. J. Worthington—11.
Tho. P. Cardwell,	Henry C. Lilly,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	G. A. C. Holt,	Philip Swigert,
A. K. Bradley,	P. H. Leslie,	Harrison Thompson,
John G. Carlisle,	W. Lindsay,	Oscar Turner,
A. D. Cosby,	I. T. Martin,	A. C. Vallandingham,
Wm. A. Dudley,	John W. F. Parker,	W. L. Vories,
A. H. Field,	I. A. Spalding,	Ben. J. Webb—21.

Mr. Chandler then moved to amend said resolution by substituting in lieu thereof the following, viz:

Resolved, That a committee of three be appointed by the Speaker, whose duty it shall be to inspect and ascertain in what condition the flags are kept; and if it be found that they are not in a safe condition, to recommend what disposition shall be made of them.

Ordered, That the further consideration of said resolution and proposed amendment be postponed until to-morrow.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to compensate jurors in justices', police, and quarterly courts in the counties of Kenton, Estill, and Fleming;

An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court;

An act to regulate the holding of the circuit courts in the fourteenth judicial district;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act providing for the erection of public buildings in Lewis county;"

An act to amend the road laws of the counties of Hickman, Fulton, and Ballard;

An act to amend section 4, article 4, chapter 28, of the Revised Statutes;

An act to amend article 2, chapter 99, Revised Statutes;

An act to amend the charters of the Lexington and Frankfort and Louisville and Frankfort railroad companies;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

WEDNESDAY, MARCH 3, 1869.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to change the line between the counties of Scott and Franklin.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Carrollton and Eagle Creek turnpike road company.

2. An act for the benefit of the town of Fairview.

3. An act for the benefit of the city court clerk of Paducah.

4. An act to incorporate the Flat Fork and Bethel Branch turnpike road company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 4th to the Committee on Internal Improvement, and the 3d to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution in relation to the Executive Mansion,

And that, on their part, they had appointed, in pursuance of the provisions of said resolution, a committee, to act in conjunction with a similar committee to be appointed by the Senate.

The Speaker then appointed Messrs. Martin and Standeford said committee on the part of the Senate.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school districts Nos. 3 and 19, of Lawrence county.

An act to release to the town of Smithland all right and title of the State of Kentucky in and to Cumberland Hospital.

An act to authorize the town of Carlisle, in Nicholas county, to

take stock in its corporate capacity in the Maysville and Lexington railroad company.

An act for the benefit of school districts Nos. 19, 38, 50, 58, 61, 18, and 26, in Lawrence county.

An act to repeal section 4 of an act to amend an act establishing the Louisville chancery court, and to fix the fees of the marshal of said court.

An act to regulate the holding of the circuit courts in the fourteenth judicial district.

An act to compensate jurors in justices', police, and quarterly courts in the counties of Kenton, Estill, and Fleming.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Covington;

An act to incorporate the Shepherdsville, Bardstown Junction, and Pitt's Point turnpike road company;

An act to incorporate Cabin Creek turnpike road company, and to levy a tax to aid in building said road;

An act to amend the charter of the Louisville turnpike company;

An act to amend the charter of the city of Paducah;

An act to incorporate the Kentucky Cheese Company;

An act to incorporate the Winchester Fuel Company;

An act to amend title 5, Civil Code of Practice;

An act to amend the town charter of the town of Morganfield;

An act to incorporate the Frankfort Lumber, Brick, and Implement Manufacturing Company;

An act to incorporate a Board of Trustees of the Bishop's Fund of the Protestant Episcopal Church, in the Diocese of Kentucky;

An act to amend the charter of the Owensboro Gas-light Company;

An act to incorporate the Kentucky and Ohio Bridge Company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Union and Richwood turnpike road company;

An act to charter the Lexington and Carter County Mining Company;

An act for the benefit of Breathitt and Morgan counties;

An act to amend an act to incorporate the Lexington, Chilesburg, and Winchester turnpike road company;

An act to incorporate the Lebanon and Calvary turnpike road company;

An act to amend the charter of the Covington and Lexington turnpike road company;

An act to charter the Richmond and Boone's Gap turnpike road company, in Madison county;

An act to amend the charter of the Little Flat Creek turnpike road company;

An act to repeal an act authorizing the Sardis Company to subscribe stock in the Sardis and Mount Olivet turnpike road;

An act for the benefit of E. D. Morgan;

An act requiring actions to be brought against certain persons indebted to the Commonwealth;

An act for the benefit of George Wills, of Henry county;

An act to provide certain books for the county of Metcalfe;

An act to change the time of holding the quarterly courts of Christian county;

An act, entitled "An act to charter the Mercer County Line and Cove Spring turnpike road company;"

An act for the benefit of John French, late sheriff of Powell county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Swigert read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, By an act, entitled "An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory," approved 10th March, 1856, the Governor was authorized and directed to carry into effect said act, which has never been complied with; for remedy whereof, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency, the Governor, be, and he is hereby, authorized and directed to cause said recited act to be carried into effect.

Which was adopted.

The Senate took up for consideration the resolution offered by Mr. Vallandingham on yesterday in relation to the flags of the State,

Together with the amendment offered by Mr. Chandler.

Mr. Chandler then moved the following as a substitute for the resolution above referred to, viz:

WHEREAS, It has been represented to the present Senate of the Commonwealth of Kentucky that the flags of our State and country, now in the Hall of the Capitol, are being injured by the dampness of said Hall, and are in danger of being lost or destroyed from their exposed position; therefore, be it

Resolved by the Senate, That W. J. Worthington, O. P. Johnson, and H. C. Lilly, be, and the same are hereby, appointed a committee to inquire into what legislation, if any, is necessary for the protection and preservation of the flags now deposited in the Hall of the State Capitol, and that they report to the Senate on the 6th day of March, 1869.

Which was adopted.

Mr. Alexander read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, Major John C. Mason, an eminent native citizen of Kentucky, who distinguished himself by his services in the State and Federal councils, and illustrated his patriotism by gallant and memorable deeds in the Mexican war, and who, when living, had the highest confidence and affection of his countrymen, now lies buried in the State of Louisiana; therefore, as a tribute to his memory, and in grateful remembrance of this patriot, soldier, and statesman, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth is hereby authorized and requested, with the consent of the family of said deceased, to remove his remains and inter them with the other distinguished dead of the Mexican war around the monument in the cemetery at Frankfort erected by the State in their honor, with a head and foot-stone to mark their last resting-place.

2. *Resolved further*, That the Auditor draw his warrant on the Treasurer, at the instance of the Governor, for the sum necessary to carry out the foregoing resolution, which shall be paid out of any money in the Treasury not otherwise appropriated.

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Alexander and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
Jos. M. Alexander,	W. C. Halbert,	E. D. Standeford,

A. K Bradley, W. Lindsay, Philip Swigert,
Jno. G. Carlisle, I. T. Martin, W. J. Worthington—14.
A. H. Field, John W. F. Parker,

Those who voted in the negative, were—

R. T. Baker, A. D. Cosby, Oscar Turner,
Robert Boyd, G. A. C Holt, W. L. Vories,
John B. Bruner, O. P. Johnson, Ben. J. Webb,
Tho. P. Cardwell, P. H. Leslie, I. C. Winfrey,
Jos. H. Chandler, Henry C. Lilly, C. T. Worthington—17.
Lyttleton Cooke, H. Thompson,

The Senate took up for consideration the amendment reported by the Committee on Internal Improvement as a substitute for the bill to improve the navigation of the South Fork of Cumberland river.

The question was then taken on the adoption of the amendment as a substitute for said bill, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assemb'y of the Commonwealth of Kentucky*, That the sum of fifteeen thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for removing obstructions to navigation from the South Fork of Cumberland river, from the mouth of said river up to the mouth of Rock creek, between Pulaski, Wayne, and Whitley counties.

§ 2. That J. C. Cosson, of Somerset, J. L. Sallee, of Monticello, and W. McKee Fox, of Pulaski, any two of whom may act, are appointed commissioners to examine said river from its mouth up to the point above named, and determine what obstructions are in the way of safe navigation, and proceed to have such obstructions removed in such manner as in their judgment is best, beginning with those nearest the mouth, and extending successively up the river as the work is completed.

§ 3. That the commissioners be empowered to employ a competent man, with judgment and skill, to direct and manage such work, and allow him not exceeding five dollars a day while actually employed.

§ 4. The said commissioners shall begin said work as soon as practicable when the water is low, and they shall severally receive for each day, not exceeding twenty-five, that they are actually engaged, the sum of four dollars for their services; but before entering upon their duties they shall each one, in the county where he resides, enter into bond, with good security, in the county court of his county, to be approved by said court, for the faithful performance thereof.

§ 5. The Auditor of Public Accounts, upon the requisition of the commissioners, accompanied with a certified copy of their bond, is authorized to draw his warrant upon the Treasury for such sums as may be necessary to pay for the work as it progresses, but not to exceed, in aggregate, the amount above appropriated.

§ 6. They shall make a full report of all their acts and doings at the next session of the Legislature.

§ 7. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
R. T. Baker,	W. C. Halbert,	E. D. Standeford,
Robert Boyd,	O. P. Johnson,	Philip Swigert,
Tho. P. Cardwell,	Henry C. Lilly,	W. L. Vories,
John G. Carlisle,	I. T. Martin,	C. T. Worthington,
Lyttleton Cooke,	Jno. W. F. Parker,	W. J. Worthington—19.
A. D. Cosby,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	G. A. C. Holt,	H. Thompson,
A. K. Bradley,	P. H. Leslie,	Oscar Turner,
John B. Bruner,	W. Lindsay,	Ben. J. Webb,
Joseph H. Chandler,	D. Y. Lyttle,	I. C. Winfrey—13.
A. H. Field,		

So said bill was rejected.

On motion, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill from the Senate, entitled

An act for the benefit of Josh Bell county.

The Senate took up for consideration the amendment proposed by the committee as a substitute for a bill for the incorporation and regulation of Life Insurance Companies.

Said proposed substitute was then amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the charter of the Masonic Fraternity of Louisville," approved February 2, 1860.

Which was granted.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to explain and amend an act, entitled "An act to extend the boundary line of the city of Louisville," approved 9th March, 1868.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on the Judiciary.

Mr. Lilly, from the Committee on the Codes of Practice, to whom had been referred a bill from the House of Representatives, entitled

An act to amend section 614 of the Civil Code of Practice,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the 2d subdivision of section 614 of the Civil Code of Practice be so amended as to embrace Ministers of the Gospel.

§ 2. This act shall be in force from its passage.

Mr. Leslie then proposed to amend said bill as follows, viz:

After the words "ministers," insert "United States officers and their deputies."

Mr. Carlisle then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. H. Field,	Philip Swigert,
A. K. Bradley,	Joseph Gardner,	Harrison Thompson,
John G. Carlisle,	W. C. Halbert,	Oscar Turner,
Joseph H. Chandler,	I. T. Martin,	Ben. J. Webb—14.
Lyttleton Cooke,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	O. P. Johnson,	I. A. Spalding,
Robert Boyd,	P. H. Leslie,	W. L. Vories,
John B. Bruner,	Henry C. Lilly,	I. C. Winfrey,
Tho. P. Cardwell,	W. Lindsay,	W. J. Worthington—13.
G. A. C. Holt,		

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Spalding, from the Committee on Codes of Practice—

A bill to amend chapter 16, section 555, of the Civil Code of Practice.

By same—

A bill to increase the jurisdiction of judges of quarterly courts.

By same—

A bill for the benefit of Mrs. Julia Brann, of Webster county.

By same—

A bill to re-enact and amend the road laws of Henderson, Union, and Taylor counties.

By Mr. Baker, from the same committee—

A bill to incorporate the Christian Church of Caseyville.

By same—

A bill to amend the town charter of Clay, in Webster county.

By same—

A bill to incorporate the German Roman Catholic St. Joseph Benevolent Society, of the city of Newport.

By Mr. Lindsay, from the Committee on County Courts—

A bill to amend an act, entitled "An act to amend the charter of the town of Eminence, in Henry county."

By same—

A bill in relation to the Constitutionalist newspaper.

By same—

A bill confirming sale of Martin Institute.

By same—

A bill for the benefit of Breathitt county.

By same—

A bill to amend the charter of the town of Whitesville, in Daviess county.

By Mr. Field, from the Committee on Circuit Courts—

A bill to incorporate the Louisville Democrat Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on County Courts, reported a bill in relation to fees for Attorneys for the Commonwealth.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the Attorneys for the Commonwealth shall be entitled to receive, as compensation for their services, forty per cent. on all fines and forfeited recognizances in addition to the docket fee now allowed by law; but county attorneys shall not, by reason of anything herein contained, be entitled to receive any greater compensation than fifteen per cent. upon the forfeited recognizances mentioned and provided for in an act, entitled "An act to fix the fees of county attorneys," approved February 21, 1868.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	P. H. Leslie,	Philip Swigert,
John G. Carlisle,	W. Lindsay,	A. C. Vallandingham,
Joseph Gardner,	I. A. Spalding,	Oscar Turner—10.
W. C. Halbert,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph H. Chandler,	H. Thompson,
Jos. M. Alexander,	A. H. Field,	W. L. Vories,
R. T. Baker,	G. A. C. Holt,	Ben. J. Webb,
Robert Boyd,	O. P. Johnson,	I. C. Winfrey,
John B. Bruner,	Henry C. Lilly,	W. J. Worthington—17.
Tho. P. Cardwell,	D. Y. Lyttle,	

So said bill was rejected.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Spalding, from the Committee on Codes of Practice—

An act to amend the 844th section of the Civil Code of Practice.

By same—

An act to authorize the assignment of executions in favor of the Commonwealth against sheriffs and their sureties.

By same—

An act to amend the charter of the city of Henderson.

By same—

An act to amend section 445 of the Civil Code of Practice.

By same—

An act to amend section 457 of the Civil Code of Practice.

With amendments to the last two named bills.

Which were concurred in.

By Mr. Field, from the Committee on Circuit Courts—

An act for the benefit of A. L. Morton, clerk of Ohio circuit court.

By same—

An act to amend the charter of the town of Hodgenville.

By same—

An act to facilitate the finding of records in Hart county.

By same—

An act to amend the charter of the town of Hustonville.

By same—

An act to prohibit the sale of intoxicating liquors in Cave Spring Station, in Logan county.

By same—

An act to legalize and make valid all summons and process, and the returns thereon issued and made returnable to the next term of the Lawrence circuit court, as if made returnable to the next May term of said court, and to legalize and make valid all proceedings thereunder.

By same—

An act legalizing the orders and levies of the Larue county court at the October term, 1868.

By same—

An act to amend the charter of the town of Marion, in Crittenden county.

By same—

An act to amend the charter of the town of Mt. Olivet.

By same—

An act enlarging the powers of the trustees of the town of Edmonton, in Metcalfe county.

By same—

An act to amend the act, approved February, 1866, entitled "An act to amend and reduce into one the several acts in relation to the

town of Greenupsburg," and also of the several acts amendatory thereof.

By same--

An act to amend the charter of Owingsville, in Bath county.

By same—

An act to incorporate the town of Pembroke, in Christian county.

By same—

An act to amend an act, entitled "An act to incorporate the town of Trenton," approved March 5th, 1868.

By same--

An act to repeal an act, entitled "An act for the benefit of James Sudduth," approved February 25, 1848.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Louisville Agricultural Works.

By same—

An act to incorporate the Cane Run and King's Mill turnpike road company, in Mercer county.

By Mr. Lindsay, from the Committee on County Courts--

An act to change the time of holding the quarterly courts in Christian county.

By same—

An act to allow Edward Air, clerk of the Campbell county court, further time to give official bond.

By same—

An act to authorize the Montgomery county court to levy an ad valorem tax to aid the Mt. Sterling and Spencer turnpike company, in said county, in paying for a bridge over Slate creek.

By same--

An act for the benefit of Gallatin county.

By same--

An act to regulate the county levy of Shelby county.

By same—

An act for the benefit of Madison county, authorizing the county court to levy an additional tax.

By same—

An act to authorize McLean county to vote on the removal of the court-house in Calhoon.

By same—

An act for the benefit of Ballard county.

By same—

An act to amend an act, entitled "An act authorizing the citizens of Brandenburg to elect a police judge and marshal," approved January 28, 1854.

By same—

An act to make an additional civil district in Washington county.

By same—

An act to authorize the county court of Lawrence county to impose additional taxes, and to authorize them to issue bonds.

By same—

An act to amend an act, entitled "An act to authorize McLean county to vote on the road tax."

By same—

An act to regulate the jurisdiction of justices of the peace in Carrsville civil district, in Livingston county.

By same—

An act to fix the time of holding the courts of justices of the peace in Bourbon county.

By same—

An act to change the Point district voting place, in Pulaski county.

By same—

An act to authorize the county court of Mason county to sell the poor-house property and reinvest the proceeds.

By same—

An act repealing an act, entitled "An act to regulate the jurisdiction of the Harrison quarterly court," approved February 18, 1868.

By same—

An act to authorize the county judge of Henderson county to appoint additional processioners for that county.

By same—

An act to authorize the voters of Bourbon county to vote on a proposition to subscribe to the stock of certain railroads, and to provide for issuing bonds of said county to pay the same.

By same—

An act to provide for the collection of railroad tax in Nicholas county.

By same—

An act to amend an act to empower county courts to take stock in turnpike roads in this Commonwealth, approved March 9, 1868.

By same—

An act to create the office of treasurer in Muhlenburg county.

By same—

An act to regulate the jurisdiction of the Gallatin county quarterly court.

Ordered, That the last named bill be placed in the orders of the day, and that the others be read a third time

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill to establish a State Board of Immigration.

Said bill was then amended.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, to-morrow, at 10¼ o'clock.

And then the Senate adjourned.

THURSDAY, MARCH 4, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Louisville and Harrodsburg and Virginia railroad," approved March 9th, 1868.

That they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to amend the charter of the city of Covington.

That they had disagreed to the passage of bills from the Senate of the following titles, viz:

An act for the benefit of Charles G. Wintersmith, judge of the late court of common pleas of the third judicial district.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend section 1, article 3, chapter 32, title "Elections," of the Revised Statutes,' approved February 11, 1858," approved March 15, 1862.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to change the place of voting in Covington precinct, No. 4, in Warren county.

An act to change the place of voting in Hiseville district, in Barren county.

An act for the benefit of the Widows and Orphans' Fund Life Insurance Company, of Nashville, Tennessee.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act for the benefit of common schools in Kentucky.

2. An act incorporating the banking-house of J. & J. A. Witherspoon.

3. An act incorporating the Colored Benevolent Society, of Hopkinsville.

4. An act to repeal the charter and amended charter and incorporate the town of Nicholasville.

5. An act to re-establish the present ferry across the Cumberland river at Eddyville.

6. An act for the benefit of Wm. D. Cummings.

7. An act to authorize the people of Henry county to vote a tax for the purpose of aiding companies in the building of turnpike roads in said county.

8. An act to define the boundary line between the counties of Lawrence and Elliott.

9. An act to repeal section 2 of an act, entitled "An act in relation to the county lines of Floyd and Lawrence and Johnson counties," approved March 1, 1860.

10. An act to amend the charter of the city of Henderson.

11. An act to amend chapter 32, article 5, section 3, of the Revised Statutes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on Education; the 2d to the Committee on Banks; the 4th, 5th, 6th, and 10th to the Committee on the Judiciary; the 7th to the Committee on County Courts; the 8th and 9th to the Committee on Propositions and Grievances, and the 11th to the Committee on Revised Statutes.

The Senate took up for consideration a bill to establish a State Board of Immigration, as amended.

Ordered, That the further consideration of said bill be postponed until to-morrow.

Mr. Leslie, from the Committee on Finance, to whom had been referred the nominations made by the Governor of persons to constitute the Board of Managers of the Eastern Lunatic Asylum,

Reported the same, with the expression of opinion that said nominations should be confirmed.

The message of the Governor reads as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., February 26, 1869.

Gentlemen of the Senate:

I hereby nominate for your consent and approval Madison C. Johnson, Dr. John R. Desha, John Viley, Francis K. Hunt, James A. Grinstead, Wm. Talbot, David A. Sayre, to be Managers of the Eastern Lunatic Asylum on and after 1st March, 1869.

J. W. STEVENSON.

The question was then taken on advising and consenting to the nominations made by the Governor, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thompson and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. T Martin,
Jos. M. Alexander,	Joseph Gardner,	W. H. Payne,
R. T. Baker,	Evan M. Garriott,	I. A. Spalding,
Robert Boyd,	W. C. Halbert,	E. D. Standeford,
A. K. Bradley,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	O. P. Johnson,	Harrison Thompson,
Tho. P. Cardwell,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
Jos. H. Chandler,	W. Lindsay.	Ben. J. Webb,
Lyttleton Cooke,	D. Y. Lyttle,	I. C. Winfrey—31.
A. D. Cosby,		

Those who voted in the negative, were—

F. M. Allison, C. T. Worthington—2.

Mr. Boyd, from the Committee on County Courts, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Floyd county,

Reported the same without amendment.

Mr. Carlisle then moved the following resolution in relation to said bill, viz:

Resolved, That the said bill be referred to the Committee on Finance, and the same is hereby instructed to prepare and report a bill to supply the several counties in this Commonwealth with such public books as the county judges of such counties may certify to have been lost or destroyed without the fault or negligence of the officer having the custody of the same, and providing some means by which such books shall be safely kept or accounted for.

Which was adopted.

Mr. Lindsay, from the Committee on County Courts, reported a bill in relation to the town of Lockport.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Boyd, from the Committee on County Courts, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of Henry county;

An act to change the time of holding the quarterly courts in Knox county;

An act for the benefit of the Rockcastle county court;

An act regulating and changing the times of holding the quarterly and county and magistrates' courts in the county of Greenup;

An act to change the time of holding the quarterly courts in Gallatin county;

An act for the benefit of the Johnson county court;

An act to authorize the presiding judge of the county of Metcalfe to sell land;

An act for the benefit of the Jackson county court;

Reported the same, with an amendment to the last named bill.

Which was concurred in.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration the following majority and minority reports touching the claim of Newton Craig against the State, viz:

[*For Reports—see Legislative Document No.* 16]

The question was first taken on the report of the minority as a substitute for the report of the majority, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carlisle and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	W. C. Halbert,	W. H. Payne,
Jos. M. Alexander,	W. Lindsay,	I. A. Spalding,
John G. Carlisle,	I. T. Martin,	H. Thompson—10.
A. D. Cosby,		

Those who voted in the negative, were—

F. M. Allison,	Wm. A. Dudley,	Philip Swigert,
R. T. Baker,	A. H. Field,	Oscar Turner,
Robert Boyd,	Joseph Gardner,	A. C. Vallandingham,
A. K. Bradley,	O. P. Johnson,	W. L. Vories,
John B. Bruner,	P. H. Leslie,	Ben. J. Webb,
Tho. P. Cardwell,	Henry C. Lilly,	I. C. Winfrey,
Jos. H. Chandler,	D. Y. Lyttle,	C. T. Worthington,
Lyttleton Cooke,	E. D. Standeford,	W. J. Worthington—24.

The question was then taken on the adoption of the report of the majority, and it was decided in the affirmative.

The Senate took up for consideration the motion heretofore entered to reconsider the vote by which the Senate had concurred in the adoption of a resolution from the House of Representatives, entitled

Resolution in relation to a final adjournment.

Mr. Dudley moved to postpone the consideration of said motion until Monday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Dudley, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. H. Field,	Oscar Turner,
A. K. Bradley,	G. A. C. Holt,	W. L. Vories,

John B. Bruner,	O. P. Johnson,	C. T. Worthington,
Wm. A. Dudley,	W. Lindsay,	W. J. Worthington—12.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
R. T. Baker,	W. C. Halbert,	Philip Swigert,
Robert Boyd,	P. H. Leslie,	Harrison Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb,
Jos. H. Chandler,	I. T. Martin,	I. C. Winfrey—23.
Lyttleton Cooke,	W. H. Payne,	

The question was then taken on reconsidering the vote by which the Senate had concurred in the adoption of the resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	P. H. Leslie,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	D. Y. Lyttle,	Ben. J. Webb,
Joseph H. Chandler,	I. T. Martin,	I. C. Winfrey,
Lyttleton Cooke,	W. H. Payne,	W. J. Worthington—23.
A. D. Cosby,	I. A. Spalding,	

Those who voted in the negative, were—

F. M. Allison,	Wm. A. Dudley,	W. Lindsay,
Robert Boyd,	A. H. Field,	Oscar Turner,
A. K. Bradley,	G. A. C. Holt,	W. L. Vories,
John B. Bruner,	O. P. Johnson,	C. T. Worthington—12.

Mr. Chandler then moved to amend said resolution by striking out the 9th, and inserting in lieu thereof the 16th.

Mr. Lilly then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	Philip Swigert,
Jos. M. Alexander,	W. C. Halbert,	Harrison Thompson,
R. T. Baker,	P. H. Leslie,	Oscar Turner,
A. K. Bradley,	Henry C. Lilly,	A. C. Vallandingham,
Tho. P. Cardwell,	D. Y. Lyttle,	W. L. Vories,
Jno. G. Carlisle,	I. T. Martin,	Ben. J. Webb,
Jos. H. Chandler,	W. H. Payne,	I. C. Winfrey,

Lyttleton Cooke, I. A. Spalding, C. T. Worthington,
A. D. Cosby, E. D. Standeford, W. J. Worthington—28.
Joseph Gardner,

Those who voted in the negative, were—

F. M. Allison, Wm. A. Dudley, O. P. Johnson,
Robert Boyd, A. H. Field, W. Lindsay—8.
John B. Bruner, G. A. C. Holt,

Mr. Turner then moved to reconsider the vote by which the call for the previous question had been sustained.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Field, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison, Wm. A. Dudley, G. A. C. Holt,
A. K. Bradley, A. H. Field, O. P. Johnson,
John B. Bruner, Evan M. Garriott, W. Lindsay—9.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson), Joseph Gardner, E. D. Standeford,
Jos. M. Alexander, W. C. Halbert, Philip Swigert,
R. T. Baker, P. H. Leslie, Harrison Thompson,
Robert Boyd, Henry C. Lilly, A. C. Vallandingham,
Tho. P. Cardwell, D. Y. Lyttle, W. L. Vories,
John G. Carlisle, I. T. Martin, Ben. J. Webb,
Joseph H. Chandler, W. H. Payne, I. C. Winfrey,
Lyttleton Cooke, I. A. Spalding, C. T. Worthington—25.
A. D. Cosby,

Mr. Field then moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Field, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison, A. H. Field, O. P. Johnson,
A. K. Bradley, Evan M. Garriott, W. Lindsay,
John B. Bruner, G. A. C. Holt, C. T. Worthington—10.
Wm. A. Dudley,

Those who voted in the negative, were—

Mr. SPEAKER (Johnson), Joseph Gardner, Philip Swigert,
Jos. M. Alexander, W. C. Halbert, H. Thompson,
R. T. Baker, P. H. Leslie, Oscar Turner,
Robert Boyd, Henry C. Lilly, A. C. Vallandingham,
Tho. P. Cardwell, D. Y. Lyttle, W. L. Vories,
Jno. G. Carlisle, I. T. Martin, Ben. J. Webb,

Jos. H. Chandler,	W. H. Payne,	I. C. Winfrey,
Lyttleton Cooke,	I. A. Spalding,	W. J. Worthington—26.
A. D. Cosby,	E. D. Standeford,	

The question was then taken on the adoption of the amendment proposed by Mr. Chandler, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dudley and Field, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
R. T. Baker,	W. C. Halbert,	H. Thompson,
Tho. P. Cardwell,	P. H. Leslie,	A. C. Vallandingham,
John G. Carlisle,	Henry C. Lilly,	W. L. Vories,
Joseph H. Chandler,	W. Lindsay,	Ben. J. Webb,
Lyttleton Cooke,	I. T. Martin,	I. C. Winfrey,
A. D. Cosby,	W. H. Payne,	C. T. Worthington—24.

Those who voted in the negative, were—

F. M. Allison,	John B. Bruner,	G. A. C. Holt,
Robert Boyd,	Wm. A. Dudley,	O. P. Johnson,
A. K. Bradley,	A. H. Field,	Oscar Turner—9.

Mr. Lindsay then moved to reconsider the vote by which the Senate had adopted the amendment proposed by Mr. Chandler.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Winfrey and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	H. Thompson,
Jos. M. Alexander,	W. C. Halbert,	Oscar Turner,
R. T. Baker,	P. H. Leslie,	A. C. Vallandingham,
Tho. P. Cardwell,	Henry C. Lilly,	W. L. Vories,
John G. Carlisle,	I. T. Martin,	Ben. J. Webb,
Joseph H. Chandler,	W. H. Payne,	I. C. Winfrey,
Lyttleton Cooke,	E. D. Standeford,	W. J. Worthington—23.
Joseph Gardner,	Philip Swigert,	

Those who voted in the negative, were—

F. M. Allison,	Wm. A. Dudley,	W. Lindsay,
Robert Boyd,	A. H. Field,	D. Y. Lyttle,
A. K. Bradley,	G. A. C. Holt,	C. T. Worthington—11.
John B. Bruner,	O. P. Johnson,	

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

On motion of Mr. Payne, leave was given to bring in a bill for the benefit of S. S. Potter, of Warren county.

Which was referred to the Committee on Finance.

Mr. Allison presented the petition of sundry citizens of the town of Bremen, praying the passage of an act prohibiting the sale of intoxicating liquors in said town.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled "An act to incorporate the town of Consolation, in Shelby county;"

An act to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company;

An act to incorporate the town of Moscow, Hickman county;

An act to amend the charter of the city of Augusta, in Bracken county;

An act to amend the charter of the Lexington, Harrodsburg, and Perryville turnpike road company;

An act for the benefit of the town of Greensburg;

An act for the benefit of John and Mary E. Seaton, of Greenup county;

An act to incorporate Venus Lodge, No. 154, Independent Order of Odd Fellows, at Florence, Boone county;

An act to amend the charter of the Iron Hill railway company, and the title thereof;

An act to amend the charter of the town of Brooksville, in Bracken county;

An act to incorporate the Odd Fellows' Temple Association, of Lexington;

An act to amend an act approved February 16, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg," and also of the several acts amendatory thereof;

An act to incorporate Warsaw Royal Arch Chapter, No. 97;

An act incorporating the Franklin Manufacturing Company;

An act to amend an act, entitled "An act to incorporate the Ursuline Society and Academy of Education," approved January 8, 1864;

An act to include George Field in the town of Shepherdsville;

An act to incorporate the United Circle Daughters of Rebecca;

An act to amend the charter of the Southern Mutual Life Insurance Company, of Kentucky;

An act for the benefit of the citizens of Barboursville, in Knox county;

An act to amend the charter of Jefferson Seminary, in Barren county;

An act to charter the Glasgow Manufacturing Company;

An act to incorporate the Greenupsburg Academy Company;

An act to amend an act, entitled "An act to incorporate the Ashland Library Company," approved March 9, 1868;

An act to amend the charter of the Northeastern Kentucky Agricultural and Mechanical Association;

An act to incorporate the St. Louis Bertrand Society, of Louisville;

An act to fix the corporate boundary of Cave City, in Barren county;

An act to re-enact and amend the town charter of the town of Dixon, in Webster county;

An act to incorporate the Cynthiana Malt and Brewing Company;

An act to charter the Wood-house Company;

An act to incorporate the Germania Market Company, of Louisville;

An act to amend the charter and to extend the corporation of the town of Independence;

An act to amend the charter of the city of Augusta;

An act to extend the corporate limits of Newport;

An act to extend the limits of the city of Newport;

An act to amend an act, entitled "An act to incorporate the Capital Mutual Life Insurance Company," approved February 17, 1866;

An act to amend an act, entitled "An act to incorporate the town of Mayslick," approved February 1st, 1839;

An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company;"

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Newport and Dayton turnpike road company;

An act to amend an act, entitled "An act to establish the county of Josh Bell," approved February 28th, 1867;

An act to amend an act, entitled "An act to punish certain trespasses in Jefferson and other counties," passed the 23d of December, 1861, so as to apply its provisions and the amendment thereto, passed the 8th of March, 1862, to the county of Grant;

An act to amend an act, entitled "An act to amend the charter of the town of Cadiz," approved April 4th, 1861;

An act to prevent the sale of ardent spirits in and near Bohontown;

An act to create a mechanics' lien law for Marshall county;

An act to amend the several acts relating to the town of Greenville;

An act to prescribe penalties for illegal charges made and collected by street railways;

An act for the benefit of Jane E. Farris and her children;

An act for the benefit of the mechanics of Hopkins county;

An act to incorporate the Louisville Agricultural Works;

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend section 1, article 3, chapter 32, title 'Elections,' of the Revised Statutes,' approved February 11, 1858;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act incorporating the Deposit Bank of Cynthiana.

An act to amend an act, entitled "An act to establish the Deposit Bank of Princeton, Kentucky."

An act to provide a mechanics' lien law for the city of Louisville and county of Jefferson.

An act to protect small birds and game in Lewis county.

An act to incorporate the Shepherdsville, Bardstown Junction, and Pitt's Point turnpike road company.

An act to incorporate the Kentucky and Ohio Bridge Company.

An act to amend the charter of the city of Paducah.

An act to incorporate a Board of Trustees of the Bishop's Fund of the Protestant Episcopal Church, in the Diocese of Kentucky.

An act to amend the town charter of the town of Morganfield.

An act to amend the charter of the city of Covington.

An act to amend title 5, Civil Code of Practice.

An act to incorporate the Kentucky Cheese Company.

An act to amend the charter of the Owensboro Gas light Company.

An act to incorporate the Winchester Fuel Company.

An act to incorporate the Frankfort Lumber, Brick, and Implement Manufacturing Company.

An act to amend the charter of the Louisville turnpike company.

And then the Senate adjourned.

FRIDAY, MARCH 5, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to incorporate the Licking and Big Sandy railroad company.

That they had disagreed to a bill from the Senate, entitled

An act to change the line between the Hillsboro and Esculapia voting precincts, in Lewis county.

That they had passed bills from the Senate of the following titles, viz:

An act empowering the Russell county court for certain purposes.

An act to restore the old boundary of the district of Highlands, in Campbell county.

With an amendment to the last named bill.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act to extend the jurisdiction of justices of the peace.
2. An act to authorize the Louisville and Nashville railroad company to extend its Bardstown Branch.
3. An act for the benefit of school districts Nos. 16 and 19, in the county of Fayette.
4. An act for the benefit of J. W. Atkins.
5. An act for the benefit of John B. Jeup & Co.
6. An act for the benefit of Joseph Hickerson, of Fleming county.
7. An act for the benefit of Tho. M. Newman.
8. An act for the benefit of W. H. Fortson, of McCracken county.

9. An act for the benefit of F. B. Howard and others, of Harlan county.

10. An act for the benefit of R. H. Shanklin.

11. An act for the benefit of Richard Herndon, of Knox county.

12. An act for the benefit of Wm. Carter, of Caldwell county.

13. Resolution to employ counsel in defense of J. M. & C. Carlyle.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st and 13th to the Committee on the Judiciary; the 2d to the Committee on Internal Improvement; the 3d to the Committee on Education, and the 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 12th to the Committee on Finance.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the Lexington and Carter County Mining Company.

An act to charter the Richmond and Boone's Gap turnpike road company, in Madison county.

An act to change the time of holding the quarterly courts of Christian county.

An act to repeal an act authorizing the Sardis Company to subscribe stock in the Sardis and Mount Olivet turnpike road.

An act to amend an act to incorporate the Lexington, Chilesburg, and Winchester turnpike road company.

An act for the benefit of John French, late sheriff of Powell county.

An act for the benefit of E. D. Morgan.

An act requiring actions to be brought against certain persons indebted to the Commonwealth.

An act for the benefit of Breathitt and Morgan counties.

An act to provide certain books for the county of Metcalfe.

An act for the benefit of George Wills, of Henry county.

An act to amend the charter of the Union and Richwood turnpike road company.

An act, entitled "An act to charter the Mercer County Line and Cove Spring turnpike road company."

An act to amend the charter of the Covington and Lexington turnpike road company.

An act to incorporate the Lebanon and Calvary turnpike road company.

An act to amend the charter of the Little Flat Creek turnpike road company.

An act to amend the several acts in relation to the town of Greenville, in Muhlenburg county.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to provide for the organization and regulation of incorporated companies except banking and insurance companies.

By Mr. Baker, from the Committee on County Courts—

A bill to amend the charter of the Four Mile Bridge Company, in Campbell county.

By same—

A bill incorporating the town of Campton, in Wolfe county.

By same—

A bill to incorporate the Cumberland Mining and Lumber Company.

By Mr. C. T. Worthington, from the Committee on Education—

A bill to incorporate the Thornhill School Joint Stock Company, of Boyle county.

By Mr. Webb, from the same committee—

A bill for the benefit of school district No. 5, in Nelson county.

By same—

A bill to incorporate Kaiserkorlder Grosse Benevolent Society.

By same—

A bill to amend an act, entitled "An act for the benefit of school district No. 5, in Breathitt county," approved March 6, 1867.

By same—

A bill for the benefit of school district No. 3, in Fleming county.

By same—

A bill to incorporate the Louisville Medical Monthly.

By Mr. Leslie, from the Committee on Finance—

A bill concerning the sale of liquor in district No. 4, in Monroe county.

By same—

A bill to change the place of voting in the Sartin precinct, in Barren county, to Cold Springs.

By same—

A bill for the benefit of McLean county.

By same—

A bill for the benefit of Wm. J. Ashcraft.

By same—

A bill concerning the jurisdiction the Barren county court.

By same—

A bill to revive and amend an act for the benefit of J. J. Cundiff and sureties of J. B. McWhorter, approved February 5, 1867.

By same—

A bill for the benefit of T. M. Conditt, of McLean county.

By same—

A bill for the benefit of A. G. Coffey, John Johnson, and others.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and made the special order of the day for Tuesday next, and the residue were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from the Committee on County Courts, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to establish a road leading from London, Laurel county, to Booneville, in Owsley county,"

Reported the same without amendment.

Said bill reads as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

Mr. Boyd then moved to postpone the further consideration of said bill until Tuesday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Baker, were as follows, viz:

Those who voted in the affirmative, were—

F. M Allison, Robert Boyd, A. D. Cosby, G. A. C. Holt, O. P. Johnson, P. H. Leslie, W. Lindsay, I. C. Wintrey—8.

61-s.

Those who voted in the negative, were—

Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
R. T. Baker,	Evan M. Garriott,	E. D. Standeford,
A. K. Bradley,	W. C. Halbert,	Philip Swigert,
John G. Carlisle,	Henry C. Lilly,	H. Thompson,
Jos. H. Chandler,	D. Y. Lyttle,	Ben. J. Webb,
John B. Clarke,	I. T. Martin,	C. T. Worthington,
Lyttleton Cooke,	W. H. Payne,	W. J. Worthington—22.
A. H. Field,		

Ordered, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	Joseph Gardner,	W. H. Payne,
F. M. Allison,	Evan M. Garriott,	I. A. Spalding,
R. T. Baker,	W. C. Halbert,	E. D. Standeford,
A. K. Bradley,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	O. P. Johnson,	Harrison Thompson,
John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	I. C. Winfrey,
Lyttleton Cooke,	I. T. Martin,	W. J. Worthington—28.
A. H. Field,		

Those who voted in the negative, were—

Robert Boyd,	W. L. Vories,	C. T. Worthington—4.
P. H. Leslie,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boyd and C. T. Worthington, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. D. Cosby,	I. T. Martin,
R. T. Baker,	A. H. Field,	I. A. Spalding,
A. K. Bradley,	Joseph Gardner,	E. D. Standeford,
John B. Bruner,	Evan M. Garriott,	Philip Swigert,
Tho. P. Cardwell,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	O. P. Johnson,	Ben. J. Webb,
Joseph H. Chandler,	Henry C. Lilly,	I. C. Winfrey,
John B. Clarke,	W. Lindsay,	W. J. Worthington—26.
Lyttleton Cooke,	D. Y. Lyttle,	

Those who voted in the negative, were—

F. M. Allison,	P. H. Leslie,	W. L. Vories,
Robert Boyd,	W. H. Payne,	C. T. Worthington—8.
G. A. C. Holt,	A. C. Vallandingham,	

Resolved, That the title of said bill be as aforesaid.

Mr. Vallandingham, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act to organize and establish a system of public schools in the city of Henderson,

Reported the same without amendment.

Said bill reads as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

Mr. Bradley then moved to amend said bill as follows, viz:

In section fifteen, strike out the words, wherever they occur, "provided that the property estimated under the equalization law shall not be so taxed."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Martin, were as follows, viz:

Those who voted in the affirmative, were—

A. K. Bradley,	W. H. Payne,	I. C. Winfrey,
I. T. Martin,	W. L. Vories,	W. J. Worthington—6.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Jos. H. Chandler,	Henry C. Lilly,
Jos. M. Alexander,	John B. Clarke,	I. A. Spalding,
F. M. Allison,	Lyttleton Cooke,	E. D. Standeford,
R. T. Baker,	A. D. Cosby,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	Harrison Thompson,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb,
John G. Carlisle,	P. H. Leslie,	C. T. Worthington—21.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	I. A. Spalding,
Jos. M. Alexander,	A. D. Cosby,	E. D. Standeford,
F. M. Allison,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	O. P. Johnson,	Harrison Thompson,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Tho. P. Cardwell,	Henry C. Lilly,	Ben. J. Webb,
Jno. G. Carlisle,	W. Lindsay,	I. C. Winfrey,
Joseph H. Chandler,	I. T. Martin,	C. T. Worthington—26.
John B. Clarke,	W. H. Payne,	

Those who voted in the negative, were—

A. K. Bradley, W. J. Worthington—2.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act supplemental to an act to improve the navigation of Licking river.

An act to amend an act to incorporate the Licking River Lumber and Mining Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on Internal Improvement.

Mr. Halbert, from the Committee on Finance, reported a bill for the benefit of Mrs James H. Garrard.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, At the August election, 1863, James H. Garrard was elected to the office of Treasurer of the State of Kentucky, and again, at the August election, 1865, he was re elected to the same office, and, on the 16th day of August, 1865, he died, leaving a widow and children—

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer in favor of Mrs. Letitia Garrard, the widow of said James H. Garrard, for twenty-four hundred dollars, the sum then allowed by law for one year's salary in said office, which shall be paid to her out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	Philip Swigert,
Jos. M. Alexander,	W. C. Halbert,	Harrison Thompson,
R. T. Baker,	Henry C. Lilly,	Len. J. Webb,

Jos. H. Chandler,	D. Y. Lyttle,	C. T. Worthington,
A. D. Cosby,	W. H Payne,	W. J. Worthington—17.
A. H. Field,	E. D. Standeford,	

Those who voted in the negative, were—

F. M. Allison,	John B. Clarke,	P. H. Leslie,
A. K. Bradley,	Lyttleton Cooke,	W. Lindsay,
John B. Bruner,	G. A. C. Holt,	A. C. Vallandingham,
Jno. G. Carlisle,	O. P. Johnson,	I. T. Martin—12.

So said bill was rejected.

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of Nelson county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assemb'y of the Commonwealth of Kentucky*, That the sum of nine hundred and thirty-two dollars and fifty cents is hereby appropriated, out of any money not otherwise appropriated, to the county of Nelson, which sum was expended by said county in taking care of Rebecca Whitehead, Malinda Hancock, Priscilla Piles, Martha Eddleman, and Mary Stears, pauper lunatics of color, before the Eastern Lunatic Asylum was prepared to receive said pauper lunatics.

§ 2. This act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	D. Y. Lyttle,
Joseph M. Alexander,	A. D. Cosby,	I. T. Martin,
F. M. Allison,	A. H. Field,	W. H. Payne,
R. T. Baker,	Joseph Gardner,	E. D. Standeford,
A. K. Bradley,	W. C. Halbert,	Philip Swigert,
John B. Bruner,	G. A. C. Holt,	H. Thompson,
Tho. P. Cardwell,	O. P. Johnson,	A. C. Vallandingham,
John G. Carlisle,	P. H. Leslie,	C. T. Worthington,
Joseph H. Chandler,	Henry C. Lilly,	W. J. Worthington—29.
John B. Clarke,	W. Lindsay,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill to establish a court of common pleas for the county of Warren.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*. There shall be established a court of justice in and for Warren county, which shall be known as the Warren court of common pleas, to be a court of record held by a single judge, who, after the election of the first judge, shall be elected in the same manner and at the same time as circuit judges of this Commonwealth, and who shall have the like qualifications, and receive a salary of fifteen hundred dollars, seven hundred and fifty of which shall be paid to him from the State Treasury in the same manner as circuit judges are paid, and the remaining seven hundred and fifty dollars to be paid by the county of Warren as hereinafter provided; he shall be a conservator of the peace; be commissioned and qualified as circuit judges are, and be subject to impeachment in like manner and for like causes; have like powers as circuit judges, as a magistrate, or judicial officer out of court.

§ 2. The first judge shall be chosen at the regular August election, 1869; and vacancies shall be filled and special judges elected in and for the said court in like manner as in the circuit courts of this Commonwealth; the same practice and the same fees, as far as applicable, shall prevail in said court as in circuit courts; and it shall have a seal, bearing its name and the arms of the Commonwealth.

§ 3. That the sheriff of Warren county shall perform all the duties in all cases and proceedings in said court which would otherwise devolve upon him in the circuit court; and the clerk of the Warren circuit court shall perform the clerical duties of said court, and shall be entitled to the same fees as allowed him as clerk of the Warren circuit court for similar services; he shall be responsible on his official bond for the faithful discharge of his duties herein; and his certificate of the records of said court shall have the same force and effect as his certificate of record from the Warren circuit court; and before the holding of the first court of common pleas, which shall be on the first Monday in October, 1869, he shall, without fee or reward, transfer to said court all civil common law cases depending in the Warren circuit court, except on forfeited recognizances, bail bonds, &c., which shall thereupon proceed in said court of common pleas; and said clerk shall keep a common docket and a motion docket, as is now required by law to be kept in circuit courts.

§ 4. The said court of common pleas shall have all the civil common law jurisdiction, original and appellate, which by the existing law appertains to the circuit court for Warren county, except on for-

feited recognizances, bail bonds, &c.; and to its clerk's office transcripts from justices' courts on appeal, and for execution, and replevin bonds for rent, shall be returned; and suits may be transferred from this court to the equity docket of the circuit court in all cases and in the same manner that suits are now authorized to be transferred from the common law to the equity docket in the circuit courts.

§ 5. The Warren court of common pleas shall hold annually two terms, beginning on the fourth Mondays in May and November in each year, and continuing each term four weeks: *Provided, however*, That the judge of said court shall have power to extend any regular term of the court or to hold a call term at any time when, in his judgment, the business of said court may require.

§ 6. All summons, actual or constructive, in actions commenced in said court, must be served and returned in like manner as in circuit courts.

§ 7. Said court shall have full power to make all rules to facilitate its business not inconsistent with the Constitution and the laws of the State; and its judgments and final orders shall be subject to appeal to the Court of Appeals in like manner as those of circuit courts, and not otherwise.

§ 8. In the summoning and selection of juries, and in the trial by jury and the payment of jurors in said county, the same shall be governed by the laws now in force and which are applicable to circuit courts.

§ 9. At the request of parties to common law actions now pending in the Warren circuit court, and with the consent of the present judge thereof, not exceeding fifty of the oldest litigated cases may remain upon the docket of said circuit court, and be there tried in the same manner as if this act had not passed.

§ 10. The county court for the county of Warren is hereby directed to levy an annual tax on the taxable property of said county in addition to the taxes already provided for, sufficient to raise the sum of seven hundred and fifty dollars, which shall be collected as other taxes, and by the sheriff of said county paid over to the judge of said court of common pleas on or before the first Monday of January in each year, or, in lieu of the foregoing, said court may, in its discretion, raise said sum of money by levying poll tax, or said court may, in its discretion, adopt both of the foregoing methods. The sheriff shall be responsible on his official bond for moneys so collected. The moneys hereby provided to be raised shall be for the payment of the salary of the judge of the Warren court of common pleas, and shall be applied to no other purpose whatever.

§ 11. Nothing in this act shall be taken to disqualify the judge of the Warren court of common pleas from practicing in any other court of this Commonwealth.

§ 12. All laws or parts of laws within the province of this act and conflicting therewith are repealed from and after the passage of this act.

§ 13. The office of judge of said court of common pleas shall not be incompatible with the office of judge of the county court for the county of Warren: *Provided*, That in case the same person shall be

judge of the said court of common pleas and of the county court, all appeals from the county or quarterly court shall be taken to the circuit court for said county.

§ 14. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M Alexander,	Evan M. Garriott,	H. Thompson,
F. M. Allison,	W. C. Halbert,	Oscar Turner,
R. T. Baker,	G. A. C. Holt,	A. C. Vallandingham,
A. K Bradley,	O. P. Johnson,	W. L. Vories,
Jno. G. Carlisle,	P. H. Leslie,	Ben. J. Webb,
Jos. H. Chandler,	W. Lindsay,	I. C. Winfrey,
John B. Clarke,	D. Y. Lyttle,	C. T. Worthington,
Lyttleton Cooke,	I. T. Martin,	W. J. Worthington—29.
A. H. Field,	W. H. Payne,	

Those who voted in the negative, were—

John B. Bruner, Tho. P. Cardwell, Philip Swigert—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Holt moved the following resolution, viz:

Resolved, That the Clerk of the Senate be, and he is hereby, authorized to employ any necessary additional clerical force that may be necessary to secure the enrollment of such bills as may be passed by this General Assembly at its present session.

Which was adopted.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act appropriating two thousand dollars to remove obstructions out of the Sturgeon Fork of the Kentucky river,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby appropriated the sum of two thousand dollars, out of any money in the Public Treasury not otherwise appropriated, for the purpose of removing the obstructions out of the Sturgeon Fork of the Kentucky river, in Owsley county, from the mouth of said Fork up to the forks of said Fork, near the widow Roberds' farm; and John S. Branenburg, John C. Leadford, and A. J.

Herd, of Owsley county, are hereby appointed commissioners to apply said sum of money to the purpose above named, who shall, before they act in the premises, execute bond in the Owsley county court, with sufficient security for their true performance in applying said money to the purpose above named.

§ 2. The Auditor of Public Accounts, upon the receipt of a duly certified copy of the order and copy of bond showing that said John S. Branenburg, John C. Leadford, A. J. Herd, of Owsley county, have executed the bond as required in the first section of this act, accompanied with the order of said John S. Branenburg, John C. Leadford, A. J. Herd, of Owsley county, shall draw his warrant on the Treasury for the sum of two thousand dollars, payable to them.

§ 3. The said John S. Branenburg, John C. Leadford, A. J. Herd, of Owsley county, shall report to the Owsley county court every six months, and oftener if required, how they have applied said money hereby appropriated, and shall receive one dollar and fifty cents per day compensation for their services.

§ 4. That this act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John G. Carlisle,	W. H. Payne,
Jos. M. Alexander,	Joseph Gardner,	Philip Swigert,
R. T. Baker,	Henry C. Lilly,	Harrison Thompson,
Robert Boyd,	D. Y. Lyttle,	C. T. Worthington,
Tho. P. Cardwell,	I. T. Martin,	W. J. Worthington—15.

Those who voted in the negative, were—

F. M. Allison,	A. H. Field,	Oscar Turner,
A. K. Bradley,	Evan M. Garriott,	A. C. Vallandingham,
John B. Bruner,	W. C. Halbert,	W. L. Vories,
Joseph H. Chandler,	O. P. Johnson,	Ben. J. Webb,
John B. Clarke,	P. H. Leslie,	I. C. Winfrey—17.
Lyttleton Cooke,	E. D. Standeford,	

So said bill was disagreed to.

Mr. Webb, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of school district No. 2, in Kenton county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Webb, from the Committee on Education, to whom had been referred a bill from the House of Representatives, entitled

An act to authorize the sale of the Burksville Male and Female Academy,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of J. C. Small, administrator of B Small, deceased,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Boyd, from the Committee on County Courts—

An act to amend and reduce into one the several acts in relation to the city of Frankfort.

By same—

An act for the benefit of the county court of Edmonson county.

By same—

An act to change the time of holding the court of claims in Meade county.

By same—

An act to change the time of holding the Todd quarterly court.

By same—

An act for the benefit of the Campbell county court.

By same—

An act to authorize the people of Henry county to vote a tax for the purpose of aiding companies in the building of turnpike roads in said county.

By same—

An act for the benefit of Elliott county.

By Mr. Baker, from the same committee—

An act for the benefit of the town of Franklin.

By same—

An act to amend an act incorporating the town of Lawrenceburg.

By same—

An act to amend an act, entitled "An act to amend the charter of the town of Stanford," approved March 6th, 1868.

By same—

An act to amend an act to incorporate the Henderson Fair Company.

By same—

An act to amend an act, entitled "An act to incorporate the town of Midway, in Woodford county."

By same—

An act for the benefit of the county of Warren.

By same—

An act to authorize the election of a police judge, town marshal, &c., in Prestonsville, Carroll county.

By same—

An act to amend an act, entitled "An act to authorize the election of a police judge in the town of Irvine," approved 30th March, 1861.

By same—

An act to incorporate the Woodford Hotel Company.

By same—

An act to amend the charter of the city of Ludlow.

By Mr. Webb, from the Committee on Education—

An act to charter the Briensburg Library Association, in Marshall county.

By same—

An act to charter the Hebron Academy Company, of Boone county.

By same—

An act to incorporate the Highland Cemetery.

By same—

An act to amend an act, entitled "An act to charter the Stanford Female Seminary."

By same—

An act to incorporate Jefferson College, at Jeffersontown.

By same—

An act for the benefit of common school district No. 54, in Trigg county.

By same—

An act to amend an act incorporating the Williamstown Academy, approved March 1st, 1860.

By same—

An act incorporating the Colored Benevolent Society, of Hopkinsville.

By same—

An act for the benefit of school district No. 29, in Clinton county.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of John Dishman.

By same—

An act for the benefit of the town of Elizaville.

By same—

An act to exempt certain counties and districts from tax on seals in certain cases.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill to establish a State Board of Immigration.

Ordered, That the further consideration of said bill be postponed until Monday next.

The Senate took up for consideration a bill to incorporate the Louisville Salt Well Company.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Columbus;

An act to change the line between the counties of Scott and Franklin;

An act to incorporate the Greenupsburg Building Association;

An act to incorporate the Louisville and Beargrass railway company;

An act to amend an act, entitled "An act to incorporate the town of New Concord, in Calloway county;"

Resolution in relation to the Executive Mansion;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the protection of game in certain counties of this State;

An act for the benefit of the Lexington, Harrodsburg, and Perryville turnpike road company;

An act for the benefit of James Gillem, of Carter county;

An act for the benefit of John H. Burdett, of Carter county;

An act for the benefit of P. A. Lyon;

An act to amend the charter of the Covington and De Courcey Creek turnpike road company, in Kenton county;

An act for the benefit of the mechanics in Casey county;

An act to amend the charter of the Winchester and Lexington turnpike road company;

An act, entitled "An act amending the road laws of the county of Gallatin;"

An act to construct a turnpike road from Fox Run to Tucker's Shop;

An act providing for a tax to assist in completing and building turnpike roads in Anderson county;

An act to incorporate the Warsaw and South Fork turnpike company;

An act to amend the charter of the Independence and Colemansville turnpike road company;

An act to incorporate the Four Mile and Twelve Mile turnpike road company, in Campbell county;

An act to amend an act, entitled "An act to incorporate the Maysville and Murphysville turnpike road company;"

An act for the benefit of Tate's Creek turnpike road;

An act authorizing certain officers to reside temporarily at or in the vicinity of the Seat of Government, without changing or losing their former legal and permanent residence;

An act to charter the Murray and Pine Bluff turnpike or gravel road company, in Calloway county;

An act to repeal an act, entitled "An act to amend article 2, chapter 42, of the Revised Statutes, title 'Guardian and Ward,'" approved February 18th, 1864;

An act concerning the Louisville chancery court;

An act to provide for indexing certain records in Jefferson county;

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county," approved February 23, 1854;

An act to amend the charter of the town of Calhoon;

An act to repeal an act, entitled "An act for the benefit of Eliza A. G. Ross;"

An act to revive and extend an act, entitled "An act for the benefit of J. H. Terrell, administrator of G. B. Grundy, deceased;"

An act to authorize Amanda Burnett to establish a ferry across the Big Sandy river;

An act to apply the general mechanics' lien law to Hart county;

An act, entitled "An act to amend the charter of the town of Mt. Sterling;"

An act to establish the Valley ferry;

An act to re-enact an act, entitled "An act for the benefit of Sarah S. Fowler, of Livingston county," approved 30th January, 1850;

An act to amend the police laws and charter of the town of Independence;

An act to amend the charter of the city of Covington;

An act to re-enact article 18, chapter 36, of the Revised Statutes;

An act to incorporate the town of Concordia;

An act to authorize the marshal of the town of Cloverport to appoint a deputy;

An act for the benefit of Tho. R. Russell, jailer of Trigg county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Payne—

1. A bill giving to the owners and keepers of stallions and jackasses a lien upon the colt to secure the foal fee.

On motion of same—

2. A bill for the benefit of S. S. Potter, late sheriff of Warren county.

On motion of Mr. Lindsay—

3. A bill for the benefit of the cities of Columbus and Hickman.

On motion of Mr. Halbert—

4. A bill to incorporate the Kenton Furnace Railroad and Manufacturing Company.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st and 2d, and the Committee on Internal Improvement the 3d and 4th.

Mr. Cooke moved the following resolution, viz:

Resolved, That during the remainder of the session, no Senator shall be allowed to speak longer than five minutes on any proposition, unless by the unanimous consent of the Senate.

Mr. Field moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Joseph H. Chandler,	Evan M. Garriott,	A. C. Vallandingham,
A. H. Field,	G. A. C. Holt,	W. L. Vories,
Joseph Gardner,	Oscar Turner,	I. C. Winfrey—9.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	I. T. Martin,
F. M. Allison,	Lyttleton Cooke,	E. D. Standeford,
R. T. Baker,	W. C. Halbert,	H. Thompson,
Robert Boyd,	O. P. Johnson,	Ben. J. Webb,
A. K. Bradley,	P. H. Leslie,	C. T. Worthington,
John B. Bruner,	Henry C. Lilly,	W. J. Worthington—20.
John G. Carlisle,	W. Lindsay,	

Pending the further consideration of said resolution, the Senate adjourned.

SATURDAY, MARCH 6, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills and a resolution from the House of Representatives of the following titles, viz:

An act to legalize the proceedings of the Bowling Green Building Company.

An act for the benefit of the trustees for the churches composing the Logan circuit of the M. E. Church, South.

An act declaring Station creek and Buck creek, &c., in Estill county, navigable streams.

An act to incorporate the Howard's Mills and Owingsville turnpike road company.

An act for the benefit of Hardin county.

Resolution in relation to a final adjournment.

That they had concurred in a resolution of the Senate, entitled

Resolution in relation to ordnance of the State.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Estill county court.

An act legalizing certain sales of property for railroad tax.

An act concerning Blue Spring Baptist Church, in Barren county.

An act for the benefit of James Haggard, of Cumberland county.

An act confirming the sale of Martin Institute.

An act concerning the Barren County railroad.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act concerning Quarter-Master General's Office, continuing salary thereof for one year.

2. An act to incorporate the Central Savings Bank, of the city of Louisville.

3. An act to change the term of holding the Lincoln county court.

4. An act to amend and make general certain sections of an act, entitled "An act to punish certain trespasses in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties," approved December 23, 1861.

5. An act authorizing the county courts of this Commonwealth to erect and maintain work-houses in their respective counties.

6. An act for the benefit of Woodford county.

7. An act to authorize John Friend, jailer of Floyd county, to appoint a deputy.

8. An act for the benefit of Zephaniah Meek, of Boyd county.

9. An act for the benefit of Edward R. Webb, of Johnson county.

10. An act in relation to the accounts of the late State Geologist and his assistants.

11. An act for the benefit of Culvin Sanders and John W. Leathers.

12. An act for the benefit of W. E. Palmer, of Mercer county.

13. An act empowering the jailer of Hart county to appoint a deputy.

14. An act to amend an act to appropriate money to improve the North Fork of the Kentucky river.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 8th, 9th, 10th, 11th, and 12th to the Committee on Finance; the 2d to the Committee on Banks; the 3d, 6th, and 7th to the Committee on County Courts; the 4th to the Committee on the Judiciary; the 5th and 13th to the Committee on Revised Statutes, and the 14th to the Committee on Internal Improvement.

Mr. Winfrey moved to reconsider the vote by which the Senate had on yesterday refused to order to a third reading a bill from the House of Representatives, entitled

An act appropriating two thousand dollars to remove obstructions out of the Sturgeon Fork of the Kentucky river.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

[*For bill—see this Journal, page* 520.]

The yeas and nays being required thereon by Messrs. Lilly and Field, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	D. Y. Lyttle,
Jos. M. Alexander,	Wm. A. Dudley,	W. H. Payne,
F. M. Allison,	Joseph Gardner,	E. D. Standeford,
R. T. Baker,	G. A. C. Holt,	Philip Swigert,
Robert Boyd,	O. P. Johnson,	Harrison Thompson,

63–s.

Tho. P. Cardwell,	Henry C. Lilly,	I. C. Winfrey,
John B. Clarke,	W. Lindsay.	W. J. Worthington—21.

Those who voted in the negative, were—

A. K. Bradley,	A. H. Field,	A. C. Vallandingham,
John B. Bruner,	Evan M. Garriott,	W. L. Vories,
Jos. H. Chandler,	W. C. Halbert,	Ben. J. Webb—11.
Lyttleton Cooke,	P. H. Leslie,	

Ordered, That the further consideration of said bill be postponed until Tuesday next.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to incorporate the Louisville, Kentucky, Cement Company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of William B. Craddock, former sheriff of Hart county;

An act for the benefit of J. L. Humphries, sheriff of Trigg county;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Robert McAlister, late sheriff of Greenup county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Robert McAlister, late sheriff of Greenup county, be re-

leased from the payment of the damages upon a judgment rendered against said McAlister and sureties for the revenue due from the county of Greenup for the year 1867, said McAlister having paid into the Treasury the principal, interest, and cost of said judgment.

§ 2. That any part of said damages paid by McAlister into the Treasury shall be credited by the Auditor upon the revenue due from the county of Greenup for the year 1868.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	W. H. Payne,
Joseph M. Alexander,	A. H. Field,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
R. T. Baker,	Evan M. Garriott,	H. Thompson,
Robert Boyd,	W. C. Halbert,	Oscar Turner,
John B. Bruner,	G. A. C. Holt,	A. C. Vallandingham,
Tho. P. Cardwell,	O. P. Johnson,	W. L. Vories,
Joseph H. Chandler,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	Henry C. Lilly,	I. C. Winfrey,
A. D. Cosby,	D. Y. Lyttle,	W. J. Worthington—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of John C. Howard, late sheriff of Harlan county,

Reported the same, with the expression of opinion that said bill ought not to pass.

[*For bill—see Session Acts*, 1868-9.]

Said bill was amended by striking out 1st March, and inserting 1st June.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Henry C. Lilly,	Philip Swigert,
R. T. Baker,	W. Lindsay,	H. Thompson,
Robert Boyd,	D. Y. Lyttle,	Oscar Turner,
Tho. P. Cardwell,	W. H. Payne,	Ben. J. Webb,
Joseph Gardner,	E. D. Standeford,	W. J. Worthington—16.
G. A. C. Holt,		

Those who voted in the negative, were—

Jos. M. Alexander,	John B. Clarke,	O. P. Johnson,
F. M. Allison,	A. D. Cosby,	P. H. Leslie,
A. K. Bradley,	Wm. A. Dudley,	A. C. Vallandingham,
John B. Bruner,	A. H. Field,	W. L. Vories,
Joseph H. Chandler,	Evan M. Garriott,	I. C. Winfrey—15.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	G. A. C. Holt,	Philip Swigert,
R. T. Baker,	Henry C. Lilly,	Harrison Thompson,
Robert Boyd,	W. Lindsay,	Oscar Turner,
Tho. P. Cardwell,	D. Y. Lyttle,	Ben. J. Webb,
Jos. H. Chandler,	W. H. Payne,	W. J. Worthington—17.
Joseph Gardner,	E. D. Standeford,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	P. H. Leslie,
A. K. Bradley,	Wm. A. Dudley,	A. C. Vallandingham,
John B. Bruner,	A. H. Field,	W. L. Vories,
John B. Clarke,	Evan M. Garriott,	I. C. Winfrey—12.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of John H. Allison and sureties,

Reported the same, with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That when John H. Allison and sureties shall pay into the Treasury the principal, interest, and cost, and cost of collection of a judgment rendered against them for the revenue due from the county of Lawrence for the year 1867, the damages thereon shall be remitted: *Provided*, The same be paid on or before September 1st, 1869.

§ 2. This act shall take effect from its passage.

Mr. Lilly moved to amend said bill as follows, viz:

Strike out 1st September and insert 1st June.

Which was adopted.

Mr Field then moved to amend said bill as follows, viz:

Strike out the words "John H. Allison and sureties," and insert in lieu thereof the words "the several sheriffs of this Commonwealth or

their sureties." Strike out of the bill, in 4th line, the letter "a," and insert the words "the several." Strike out the words "the county of Lawrence," and insert in lieu thereof "them."

Mr. Vallandingham then moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
Jos. M. Alexander,	Joseph Gardner,	H. Thompson,
F. M. Allison,	W. C. Halbert,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	A. C. Vallandingham,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
John B. Clarke,	D. Y. Lyttle,	I. C. Winfrey,
A. D. Cosby,	W. H. Payne,	W. J. Worthington—26.
Wm. A. Dudley,	E. D. Standeford,	

Those who voted in the negative, were—

R. T. Baker,	Evan M. Garriott,	Henry C. Lilly—4.
Tho. P. Cardwell,		

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., March 6, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

R. C. Burns, of Boyd county.
James A. Richards, of Marion county.
Haydon H. Shouse, of Henderson county.
Thomas H. Hines, of Warren county.
Jo. A. Hamilton, of Jefferson county.
Philip S. Campbell, of Jefferson county.
Henry Hartman, of Jefferson county.
Elijah S. Watts, of Jefferson county.
B. F. Camp, of Jefferson county.
George D. Sherwin, of Jefferson county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

Mr. Leslie, from the Committee on Finance, to whom had been referred a resolution from the House of Representatives, entitled

Resolution to purchase portrait of Thos. Jefferson,

Reported the same, with the expression of opinion that said resolution ought not to be concurred in.

Ordered, That the further consideration of said resolution be postponed until Tuesday next.

Mr. Leslie, from the Committee on Finance, to whom had been referred a resolution from the House of Representatives, entitled

Resolution to print Report of Regent of Kentucky University,

Reported the same with an amendment.

The original resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That one thousand copies of the Report of the Regent of Kentucky Agricultural College be printed.

The amendment proposed by the committee is as follows, viz:

Strike out one thousand and insert two thousand, and add to the resolution the following: "Five hundred of which shall be delivered to the Regent for distribution, and the balance shall be sent by mail to the Senators and Representatives of the present General Assembly, postage paid."

Which was adopted.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act for the benefit of the Widows and Orphans' Fund Life Insurance Company, of Nashville, Tennessee.

Which was twice read and concurred in.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the Kentucky Institution for the Blind, and meritorious pupils of said institution,

Reported the same, with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Board of Visitors of the Kentucky Institution for the Education of the Blind be, and are hereby, authorized to extend, at their discretion, the school term of such meritorious pupils of said Institution as may be recommended by the Superintendent as worthy of longer instruction in literature, music, and mechanic arts than is now allowed by law.

§ 2. That the sum of ten thousand dollars ($10,000) be, and the same is hereby, appropriated to said Institution, to be paid to the order of the Board of Visitors, to enable said Board to purchase the

land adjacent to the lot of the Institution on the north, and lying between it and the Brownsboro road; to inclose the same with a substantial fence; to erect fences on the eastern and western boundary lines of the Institution; to connect the buildings of the Institution with the Louisville water-works by a pipe of sufficient size to furnish an abundant and unfailing supply of water for bath-rooms and all domestic purposes, as well as for use in case of fire; to introduce gas into the buildings of the Institution, with the necessary burners and other fixtures; to lay out the gravel walks and avenues needed by the inmates of the Institution; and to make other necessary improvements in the buildings and grounds of said Institution.

§ 3. This act to take effect from its passage.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Payne, Philip Swigert, Ben. J. Webb—4.
E. D. Standeford,

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	O. P. Johnson,
Jos. M. Alexander,	A. D. Cosby,	P. H. Leslie,
F. M. Allison,	Wm. A. Dudley,	Henry C. Lilly,
R. T. Baker,	A. H. Field,	W. Lindsay,
Robert Boyd,	Joseph Gardner,	D. Y. Lyttle,
A. K. Bradley,	Evan M. Garriott,	Harrison Thompson,
John B. Bruner,	W. C. Halbert,	Oscar Turner,
Tho. P. Cardwell,	G. A. C. Holt,	I. C. Winfrey—25.
Joseph H. Chandler,		

Mr. Leslie, from the Committee on Finance, reported a bill for the benefit of G. R. Hunt, B. D. West, Lyttleton Cooke, P. H. Leslie, R. Tarvin Baker, and W. N. Haldeman.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasury in favor of G. R. Hunt for fifteen hundred dollars, the sum allowed him for his services as clerk to the committee appointed to investigate and report the condition of insurance companies; that he draw his warrant upon said Treasury in favor of B. D. West for one hundred and fifty dollars for services rendered as clerk to said

committee in said investigation; that he draw his warrant upon said Treasury in favor of W. N. Haldeman for three hundred dollars, for printing blanks for the use of said committee; that he draw his warrant upon the Treasury in favor of Lyttleton Cooke for twelve hundred and fifty dollars; in favor of P. H. Leslie for one hundred and seven dollars, and in favor of R. Tarvin Baker for the sum of eighty dollars, which sums are allowed them for their services and expenses in making said investigations and report.

§ 2. This act to take effect from its passage.

Mr. Payne then moved to amend said bill by striking out "one hundred and seven dollars," the sum appropriated to P. H. Leslie, and also the sum of "eighty dollars," the sum appropriated to R. Tarvin Baker, and inserting in lieu of each the sum of "five hundred dollars."

Mr. Chandler moved to amend the amendment proposed by Mr. Payne, by substituting in lieu of "five hundred dollars," "three hundred dollars."

Which was adopted.

Mr. Standeford then moved to amend the bill by striking out "fifteen hundred dollars," the sum appropriated to Mr. Hunt, and inserting in lieu thereof "two thousand dollars."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cosby and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Baker,	D. Y. Lyttle,	Philip Swigert,
A. H. Field,	E. D. Standeford,	W. J. Worthington—7.
W. Lindsay,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Henry C. Lilly,
F. M. Allison,	Wm. A. Dudley,	W. H. Payne,
A. K. Bradley,	Joseph Gardner,	H. Thompson,
John B. Bruner,	Evan M. Garriott,	Oscar Turner,
Tho. P. Cardwell,	W. C. Halbert,	A. C. Vallandingham,
Joseph H. Chandler,	G. A. C. Holt,	W. L. Vories,
John B. Clarke,	O. P. Johnson,	I. C. Winfrey—21.

Mr. Turner then moved to amend the bill as follows, viz:

Add to the bill the following:

That the sum of eighty dollars is hereby appropriated to Howard Todd, Sergeant-at-Arms of the Senate, for his attention on said committee.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
F. M. Allison,	W. C. Halbert,	H. Thompson,
Robert Boyd,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	A. C. Vallandingham,
Jos. H. Chandler,	Henry C. Lilly,	W. L. Vories,
John B. Clarke,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	D. Y. Lyttle,	I. C. Winfrey,
Wm. A. Dudley,	W. H. Payne,	W. J. Worthington—28.
A. H. Field,		

In the negative—none.

Resolved, That the title of said bill be amended to read,

An act for the benefit of G. R. Hunt, B. D. West, Lyttleton Cooke, P. H. Leslie, R. Tarvin Baker, and Howard Todd.

The Senate took up for consideration a bill to amend the revenue laws.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all purchases of land, made under execution in behalf of the Commonwealth against sheriffs and their sureties, for revenue, made by the Commonwealth, through agents appointed by the Auditor, be, and the same are hereby, declared valid.

§ 2. That the Auditor shall proceed to sell all lands so purchased after existing rights of redemption have expired, upon a credit of not less than one nor more than three years, in his discretion; and he shall take bonds, with good security, from the purchasers, bearing interest from the sale, and shall execute, for and on behalf of the Commonwealth, deeds of conveyance therefor, reserving a lien to the Commonwealth for the purchase money. He shall be authorized to collect all said bonds by suit in the Franklin circuit court, if not paid to him at maturity; and the lien upon the land shall be enforced in that court. When said moneys are collected they shall be paid by him into the Treasury.

§ 3. That the Auditor shall be authorized to employ, in his discretion, an agent, residing near to the place of sale, in any case where land is to be sold under an execution in favor of the Commonwealth against sheriffs and collectors of the revenue, to bid for said land, if it shall be necessary so to do to insure the collection of said execution;

and he shall pay said agent not exceeding eight per cent. upon the amount realized by the Commonwealth out of the land after it is sold.

§ 4 That no property or estate shall be exempt from executions in behalf of the Commonwealth.

§ 5. This act to take effect from its passage.

Mr. Dudley moved to strike out the fourth section of the bill.

Which was adopted.

Mr. Leslie then moved to amend said bill as follows, viz:

Amend the second section, line one, by inserting after the word "sell," and before the word "all," "at public sale at the court-house door in the county where the land is situated, on the first day of a county or circuit court, having first advertised the same as lands are directed to be advertised when sold under execution, and also for two weeks in a newspaper, if one is published in the county."

Which was adopted.

Mr. Lindsey then moved to amend said bill as follows, viz:

Provided, That the right of the State to make such purchase is only intended to be established by this act; and nothing herein shall be so construed as to cure any defect or irregularity in any execution, levy, or sale under which such purchase may have been made.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Bruner,	W. Lindsay,
Jos. M. Alexander,	Jos. H. Chandler,	D. Y. Lyttle,
F. M. Allison,	John B. Clarke,	Philip Swigert,
Robert Boyd,	W. C. Halbert,	Oscar Turner—14.
A. K. Bradley,	P. H. Leslie,	

Those who voted in the negative, were—

R. T. Baker,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	Henry C. Lilly,	I. C. Winfrey,
A. H. Field,	Harrison Thompson,	W. J. Worthington—10.
Joseph Gardner,		

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Wm. Carter, of Caldwell county,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, the 9th inst., at 10½ o'clock, A. M.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of the Mt. Sterling and Levee turnpike road company,

Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, the 9th inst.

Mr. Alexander, from the Committee on Internal Improvement, reported the following bills, viz:

A bill to incorporate the Kenton Furnace Railroad and Manufacturing Company.

A bill to incorporate the Lexington and Harrodsburg and Tennessee railroad company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Alexander, from the Committee on Internal Improvement, reported a bill to provide means to erect piers, embankments, &c., to protect the cities of Hickman and Columbus.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Turner moved a resolution in reference thereto.

Said bill reads as follows, viz:

WHEREAS, It is represented to this General Assembly that the banks of the Mississippi river in front of the cities of Hickman and Columbus are fast caving in, and the loss of much valuable property in each

of said cities is about to be caused by reason thereof; and further, that said cities are greatly embarrassed by debt and taxation, and are wholly unable, without assistance, to raise means sufficient to erect the necessary piers, embankments, and other structures to prevent the loss of said property, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Robt. T. Glass, Fenton Sims, and J. Fry Lawrence be, and they are hereby, constituted a commission to examine the condition of said cities and report to the next General Assembly of the Commonwealth of Kentucky—1st. Whether or not there is danger of the loss of any considerable amount of property in said cities, or either of them, and if so, what amount; 2d. Whether or not it is practicable to save said property by the erection of piers, embankments, or other structures, and if so, what will the erection of such necessary structures probably cost.

§ 2. Said commission will confer with the municipal authorities and take such other steps as may be necessary, and report whether either or both of said cities are able, without assistance from the State, to erect the necessary structures to protect said property; and if not, what appropriation will be necessary to either or both of them to enable them to erect the same. Said commissioners, before they enter upon the discharge of the duties imposed upon them by this act, shall each take an oath, before some officer authorized to administer the same, to honestly and faithfully discharge said duties.

§ 3. This act to take effect from its passage.

The resolution offered by Mr. Turner reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor appoint some competent civil engineer to examine Columbus and Hickman, and report to the next General Assembly if the banks can be preserved from washing, and its probable cost; and the cost of said investigation shall not exceed two hundred and fifty dollars.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bradley and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	W. Lindsay,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	G. A. C. Holt,	Harrison Thompson,
Tho. P. Cardwell,	P. H. Leslie,	Oscar Turner—14.
Wm. A. Dudley,	Henry C. Lilly,	

Those who voted in the negative, were—

F. M. Allison,	Jos. H. Chandler,	O. P. Johnson,
Robert Boyd,	John B. Clarke,	A. C. Vallandingham,
A. K. Bradley,	A. H. Field,	I. C. Winfrey—10.
John B. Bruner,		

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of Joseph L. McCarty, late sheriff of Whitley county, and his sureties.

By same—

An act to authorize the Attorney General to bring suit against Wm. T. Samuels, late Auditor of the State.

By same—

An act for the benefit of James Bartley, late sheriff of Monroe county, and his securities.

By Mr. Alexander, from the Committee on Internal Improvement—

An act supplemental to an act to improve the navigation of Licking river.

By same—

An act for the benefit of the Maysville and Lexington railroad company, Northern Division.

By same—

An act to incorporate the Evening Star Temple of Honor, Boyd county.

By same—

An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company," approved March 7, 1868.

By same—

An act to amend an act, entitled "An act providing for the subscription of stock in railroad companies by the county of Mason."

By same—

An act to incorporate the Cabin Creek, Springdale, and Maysville turnpike road company.

By same—

An act to incorporate the Germantown and North Fork turnpike road company, in Mason county.

By same—

An act to incorporate the Washington and Lee's Woods turnpike road company, in Mason county.

By same—

An act to incorporate the Upper Blue Lick turnpike road company, in Mason county.

By same—

An act to incorporate the Mason and Fleming turnpike road company.

By same—

An act to incorporate the Owingsville and Ficklin Tanyard turnpike road company, in Bath county.

By same—

An act to incorporate the Owingsville, Slate Furnace, Iron Ore Bank turnpike road company, in Bath county.

By same—

An act to amend an act to incorporate the Licking River Lumber and Mining Company.

By same—

An act to amend the charter of the Henry, Oldham, and Jefferson turnpike road company.

By same—

An act to amend an act, entitled "An act to incorporate the Wyoming and Bald Eagle turnpike road, in Bath county," approved March 9, 1867.

By same—

An act to authorize the Louisville and Nashville railroad company to extend its Bardstown Branch.

By same—

An act to amend an act, entitled "An act to authorize the Campbell county court to make subscriptions to the capital stock of turnpike road companies located within the limits of said county."

By same—

An act to incorporate the North Middletown and Thatcher's Mill turnpike road company.

By same—

An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company."

By same—

An act to amend the charter of the Great Crossings and Stamping Ground turnpike road.

By same—

An act to amend the charter of the Georgetown, Oxford, and Leesburg turnpike road.

By same—

An act for the benefit of the town of Fairview.

By same—

An act to declare Buffalo creek, in Floyd county, a navigable stream.

By same—

An act in relation to State roads in Marshall and Crittenden counties.

By same—

An act to incorporate the Flat Fork and Bethel Branch turnpike road company.

By same—

An act for the benefit of the Carrollton and Eagle Creek turnpike road company.

By same—

An act incorporating the Kenton County Air-line turnpike company.

By same—

An act to incorporate the Grier's Creek turnpike road company, in Woodford county.

By same—

An act to incorporate the Butler and Pribble's Cross-roads turnpike road company.

By same—

An act concerning Plank Road street, in the city of Henderson.

By same—

An act to incorporate the Harmony turnpike road company, in Owen county.

By same—

An act to incorporate the Monterey and Cedar Creek turnpike road company, in Owen county.

By same—

An act to incorporate the Mt. Vernon and Boone's Gap turnpike road company.

By same—

An act to change the road laws in Jackson county.

By same—

An act to amend the charter of the Bedford and Milton turnpike road company.

By same—

An act to incorporate the Mayfield and Boydsville turnpike road company.

By same—

An act to incorporate the Louisville Edge-tool Factory.

By same—

An act to establish a State road from Hopkinsville to Paducah, via Parkersville.

By same—

An act to incorporate the Flat Rock and Caldwell's Mill turnpike road company.

By same—

An act for the benefit of J. M. Lewis, of Boyle county.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of John C. Howard, late sheriff of Harlan county.

By same—

An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties.

With amendments to the last two named bills.

Ordered, That said bills, the last two as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to re-enact and amend the town charter of the town of Dixon, in Webster county.

An act to amend an act, entitled "An act to incorporate the Capital Mutual Life Insurance Company," approved February 17, 1866.

An act to incorporate the Germania Market Company, of Louisville.

An act to charter the Wood-house Company.

An act to amend an act, entitled "An act to incorporate the town of Mayslick," approved February 1st, 1839.

An act for the benefit of the citizens of Barboursville, in Knox county.

An act to fix the corporate boundary of Cave City, in Barren county.

An act to establish the Southwest Kentucky Mutual Aid and Benevolent Life Insurance Company.

An act to charter the Glasgow Manufacturing Company.

An act to amend the charter and to extend the corporation of the town of Independence.

An act to incorporate the United Circle Daughters of Rebecca.

An act to amend the charter of Jefferson Seminary, in Barren county.

An act incorporating the Franklin Manufacturing Company.

An act for the benefit of John and Mary E. Seaton, of Greenup county.

An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company."

An act to incorporate Cabin Creek turnpike road company, and to levy a tax to aid in building said road.

An act to incorporate the Greenupsburg Academy Company.

An act to amend an act approved February 16, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg," and also of the several acts amendatory thereof.

An act to extend the corporate limits of Newport.

An act to extend the limits of the city of Newport.

An act to include George Field in the town of Shepherdsville.

An act to incorporate the town of Moscow, Hickman county.

An act to amend the charter of the Southern Mutual Life Insurance Company, of Kentucky.

An act to amend an act, entitled "An act to incorporate the Ashland Library Company," approved March 9, 1868.

An act to incorporate the Cynthiana Malt and Brewing Company.

An act to amend an act, entitled "An act to incorporate the Ursuline Society and Academy of Education," approved January 8, 1864.

An act to amend the charter of the city of Augusta, in Bracken county.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to amend the charter of the Northeastern Kentucky Agricultural and Mechanical Association.

An act to incorporate the St. Louis Bertrand Society, of Louisville.

An act to incorporate the Odd Fellows' Temple Association, of Lexington.

An act to incorporate Warsaw Royal Arch Chapter, No. 97.

An act for the benefit of the town of Greensburg.

An act to incorporate Venus Lodge, No. 154, Independent Order of Odd Fellows, at Florence, Boone county.

An act to amend the charter of the city of Augusta.

An act to amend the charter of the Lexington, Harrodsburg, and Perryville turnpike road company.

An act to repeal an act, entitled "An act to incorporate the town of Consolation, in Shelby county."

An act to amend the charter of the Iron Hill railway company, and the title thereof.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend section 1, article 3, chapter 33, title "Elections," of the Revised Statutes,'" approved 11th February, 1858.

An act to amend an act, entitled "An act to punish certain trespasses in Jefferson and other counties," approved December 21, 1861.

An act to prevent the sale of ardent spirits in and near Bohontown.

An act for the benefit of Jane E. Farris and her children.

An act to amend an act, entitled "An act to establish the county of Josh Bell," approved February 28th, 1867.

An act to amend an act, entitled "An act to amend the charter of the town of Cadiz," approved April 4th, 1861.

An act to incorporate the Louisville Agricultural Works.

An act to create a mechanics' lien law for Marshall county.

An act to incorporate the Newport and Dayton turnpike road company.

An act to prescribe penalties for illegal charges made and collected by street railways.

An act for the benefit of the mechanics of Hopkins county.

An act to incorporate the Louisville and Beargrass railway company.

An act to incorporate the Greenupsburg Building Association.

An act to change the line between the counties of Scott and Franklin.

An act to amend an act, entitled "An act to incorporate the town of New Concord, in Calloway county."

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Widows and Orphans' Fund Life Insurance Company, of Nashville, Tennessee;

An act to change the place of voting in Covington precinct, No. 4, in Warren county;

An act to amend an act, entitled "An act to incorporate the Louisville and Harrodsburg and Virginia railroad," approved March 9th, 1868;

An act to change the place of voting in Hiseville district, in Barren county;

An act empowering the Russell county court for certain purposes;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent deer-driving in that portion of Lyon county lying between the Cumberland and Tennessee rivers;

An act to amend the charter of the city of Covington;

An act in relation to warehousemen and warehouse receipts;

An act to regulate the assessment of railroad tax in McCracken county;

An act to provide for the collection of railroad tax in Nicholas county;

An act to authorize the Montgomery county court to levy an ad valorem tax to aid the Mt. Sterling and Spencer turnpike company, in said county, in paying for a bridge over Slate creek;

An act for the benefit of A. L. Morton, clerk of Ohio circuit court;

An act to amend an act, entitled "An act to authorize McLean county to vote on the road tax;"

An act to authorize the county court of Lawrence county to impose additional taxes, and to authorize them to issue bonds;

An act to incorporate the Green County Agricultural and Mechanical Association;

An act to amend an act, entitled "An act to incorporate the Bank of Cadiz;"

An act to incorporate the town of Pembroke, in Christian county;

An act to incorporate the Highland Cemetery;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, MARCH 8, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills from the House of Representatives of the following titles, viz:

An act to incorporate the German Bank and Insurance Company, of Louisville.

An act for the benefit of the Jackson county court.

That they had disagreed to the passage of a bill which originated in the Senate, entitled

An act in relation to contracts for the payment of currency or coin.

That they had passed bills from the Senate of the following titles, viz:

An act to provide a public guardian in certain cases.

An act for the benefit of certain school districts in Barren and Allen counties.

An act to amend two acts in regard to Vanceburg, in Lewis county.

An act to re-enact and amend the road law of Henderson, Union, and Taylor counties.

That they had passed bills of the following titles, viz:

1. An act to provide for the sale of the stock of the State of Kentucky in the Louisville and Salt River turnpike road company.

2. An act to amend the charter and increase the rights, privileges, and powers, of certain banks in this Commonwealth.

3. An act to amend section 334 of the Criminal Code of Practice.

4. An act to incorporate the Kentucky River Transportation Company.

5. An act to empower the trustees of the Princeton Seminary to sell and convey said property.

6. An act to repeal the 2d section of an act, entitled "An act to amend the charter of Princeton College," approved Febuary 19, 1866.

7. An act to amend the charter of the city of Louisville.

8. An act to amend an act, entitled, "An act to incorporate the Mutual Benevolent Police Union, No. 1, of Kentucky."

9. An act to prohibit the sale of ardent spirits in the town of Mt. Vernon, or within one mile thereof.

10. An act to provide for paying county court clerks for delinquent lists.

11. An act for the benefit of W. J. Brewer, late sheriff of Henry county.

12. An act to incorporate the Louisville and Jeffersonville Ferry Company.

13. An act to incorporate the Warsaw and Ghent turnpike road company.

14. An act to extend an act of 1867, concerning the Lexington and Big Sandy railroad, Western Division.

15. An act to incorporate the Boone's Creek turnpike road company.

16. An act to amend an act for the benefit of Fayette county.

17. An act to incorporate the State Fire and Marine Insurance Company, of Kentucky.

18. An act to incorporate the Flemingsburg and Milwood turnpike road company.

19. An act to incorporate the Union Bridge Company.

20. An act for the benefit of W. L. Lightburn and Martha F. Lightburn, of Scott county.

21. An act to amend chapter 55 of the Revised Statutes, in reference to jury commissioners, and the mode of selecting grand and petit jurors in the Jefferson circuit court and the Jefferson court of common pleas.

22. An act to prohibit the sale of ardent spirits in the town of Hodgenville.

23. An act to enable testators to exempt real estate devised from liability for debts contracted before the death of such testator.

24. An act for the incorporation of the Louisville Medico-Chirurgical Society.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 10th, and 11th to the Committee on Finance; the 2d to the Committee on Banks; the 3d to the Committee on the Codes of Practice; the 4th, 13th, 14th, 15th, 18th, and 19th to the Committee on Internal Improvement; the 5th, 6th, 8th, 9th, 22d, and 23d to the Committee on Revised Statutes; the 7th, 12th, 17th, 20th, and 21st to the Committee on the Judiciary;

the 16th to the Committee on County Courts, and the 24th to the Committee on Education.

Mr. Alexander, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Brandenburg and Webster turnpike road company,

Reported the same without amendment.

Mr. Bruner then moved to amend the bill so as to exclude the citizens of the county of Breckinridge from the payment of any tax whatever in the construction of said road.

Which amendment was rejected.

Said bill was then amended, on motion of Mr. Field.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vallandingham moved that a message be sent to the House of Representatives asking leave to withdraw the announcement of the passage of a bill by the Senate, which originated in the House of Representatives, entitled

An act for the benefit of the town of Franklin.

Which was granted, and, after a short time, said bill was handed in at the Clerk's desk.

The question was then taken on reconsidering the vote by which the Senate had passed, dispensed with the third reading, and ordered said bill to be read a third time, and it was decided in the affirmative.

Said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Turner, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Metropolis and Southwestern railroad company,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom had been referred a bill from the House of Representatives, entitled

An act to define the boundary line between the counties of Lawrence and Elliott,

Reported the same without amendment.

Said bill was then amended.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

So said bill was disagreed to.

Mr. Winfrey, from the Committee on Propositions and Grievances, to whom had been referred a bill from the House of Representatives, entitled

An act to repeal section 2 of an act, entitled "An act in relation to the county lines of Floyd and Lawrence and Johnson counties," approved March 1, 1860,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bruner, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend chapter 80, section 26, of the Revised Statutes, title "Real Estate,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Mr. Turner then moved to reconsider the vote by which said bill had passed.

Which motion was entered, and the further consideration thereof postponed until to-morrow.

Mr. Bradley, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the town of Russellville,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Swigert then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was only entered.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act to establish a court of common pleas for the county of Warren.

With an amendment to said bill.

Which was taken up, twice read, and concurred in.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of Wm. Carter, of Caldwell county.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It has been made known to this General Assembly that, at the June term, 1863, of the Caldwell circuit court, Wm. Carter, of Caldwell county, was indicted for usurpation of office in accepting the office of county judge of said county, in January, 1862, under the Provisional Government of Kentucky; and whereas, judgment was rendered and a fine of $500 collected on said judgment; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts shall draw his warrant on the Treasury in favor of Wm. Carter for the sum of $350 (three hundred and fifty dollars), or so much thereof as is shown to have been paid into the Treasury.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	Philip Swigert,
F. M. Allison,	Evan M. Garriott,	Harrison Thompson,
A. K. Bradley,	W. C. Halbert,	Oscar Turner,
Tho. P. Cardwell,	G. A. C. Holt,	A. C. Vallandingham,
John G. Carlisle,	P. H. Leslie,	Ben. J. Webb,
Joseph H. Chandler,	W. Lindsay,	I. C. Winfrey,
John B. Clarke,	I. T. Martin,	C. T. Worthington—26.
A. D. Cosby,	W. H. Payne,	

Those who voted in the negative, were—

John B. Bruner, O. P. Johnson—2.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore made by Mr. Holt to reconsider the vote by which the Senate had rejected a resolution introduced by Mr. Alexander on the 3d inst., in relation to the removal of the remains of John C. Mason, deceased.

[*For resolution—see this Journal, page* 490.]

Mr. Holt then moved to limit the expenditures attending said removal to the sum of five hundred dollars.

And the question being taken thereon, it was decided in the negative.

Mr. Martin then moved to amend said resolution by limiting the sum to three hundred dollars.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. T. Martin,
Jos. M. Alexander,	Evan M. Garriott,	W. H. Payne,
A. K. Bradley,	W. C. Halbert,	I. A. Spalding,
Jos. H. Chandler,	G. A. C. Holt,	A. C. Vallandingham,
John B. Clarke,	Henry C. Lilly,	Philip Swigert—16.
A. H. Field,	W. Lindsay,	

Those who voted in the negative, were—

John B. Bruner,	P. H. Leslie,	I. C. Winfrey,
A. D. Cosby,	Oscar Turner,	C. T. Worthington—8.
O. P. Johnson,	Ben. J. Webb,	

So said resolution was again rejected.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Alexander, from the Committee on Internal Improvement—

An act to amend an act to appropriate money to improve the North Fork of the Kentucky river.

By Mr. Swigert, from the same committee—

An act to amend an act, entitled "An act to incorporate the Versailles and McCracken Mill turnpike company."

By same—

An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company."

By same—

An act to incorporate the Crooksville and Muddy Creek turnpike road company, in Madison county.

By same—

An act to incorporate the Irvine and Miller's Creek Turnpike and Bridge Company.

By same—

An act to charter the Morning View Branch turnpike road company, in Kenton county.

By same—

An act to incorporate the Stanford and Milledgeville turnpike road company.

By same—

An act to revive and amend the charter of the Stanford and Mason's Gap turnpike road company.

By Mr. Chandler, from the same committee—

An act to incorporate the Maxville, Willisburg, and Louisville turnpike road company.

By same—

An act to incorporate the Duncansville and Chaplin turnpike road company.

By same—

An act to incorporate the Versailles and Mt. Vernon turnpike road company.

By same—

An act to incorporate the Lebanon and Raywick turnpike road company.

By same—

An act for the benefit of the Harrodsburg and Cornishville turnpike road company.

By same—

An act to charter the Calhoon Mills Company.

By same—

An act to charter the Spring Station and Midway turnpike company.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Owensboro and Russellville railroad company,'" approved 27th February, 1867.

By same—

An act to incorporate the Danville and McMinnville railroad company.

By Mr. Turner, from the Committee on the Judiciary—

An act to incorporate the Paducah Boat Building and Dock Company.

By same—

An act to incorporate the Plain City Woolen Manufacturing Company, at Paducah.

By same—

An act for the benefit of the city court clerk of Paducah.

By Mr. Baker, from the same committee—

An act to incorporate the town of Berlin, in Bracken county.

By same—

An act to incorporate the Metropolis and Kentucky Bridge Company.

By Mr. Lyttle, from the Committee on Privileges and Elections—

An act to define the line between magistrates' districts Nos. 1 and 5, in Magoffin county.

By same—

An act to establish an additional voting precinct in the county of Jefferson.

By same—

An act to change the line of the Springfield civil district, in Washington county.

By same—

An act to change the place of voting in voting precinct No. 6, in Nicholas county.

By same—

An act to enlarge the voting precincts of Mt. Sterling.

By same—

An act to enlarge the boundary of voting precinct No. 6, in Crittenden county.

By same—

An act to change the place of voting in precinct No. 6, in Crittenden county.

By Mr. Winfrey, from the Committee on Propositions and Grievances—

An act to establish the county of Menifee.

By same—

An act for the benefit of Dovin Hendron.

By same—

An act to change the county line between Taylor and Green counties.

By same—

An act to change the dividing line between Marion and Washington counties.

By same—

An act for the benefit of George W. Belcher and Wm. Harrold, of Breathitt county.

By Mr. C. T. Worthington, from the Committee on Religion—

An act for the benefit of the German Evangelical Church of Louisville.

By same—

An act to incorporate Christian Church, at Rush Branch, in Lincoln county.

By same—

An act to incorporate the Montgomery Masonic Temple Company.

By same—

An act to incorporate Mt. Olivet Lodge, No. 291, Free and Accepted Masons, in Robertson county.

By same—

An act to incorporate Muhlenburg Lodge, No. 415, Free and Accepted Ancient York Masons.

By same—

An act to incorporate Crab Orchard Lodge, No. 432, Ancient York Masons.

By same—

An act to incorporate the Boone's Knob Monumental Association.

By same—

An act to incorporate Edmonton Chapter, No. 100, Royal Arch Masons, of Kentucky.

By same—

An act to incorporate the Highland Lodge, No. 71, Independent Order of Odd Fellows, in Uniontown.

By same—

An act to prohibit the sale of ardent spirits in Knox county.

By Mr. Bradley, from the Committee on Revised Statutes—

An act to amend the charter of the town of Danville.

By same—

An act to amend chapter 16, article 6, section 3, of the Revised Statutes.

By same—

An act for the benefit of the mechanics of the counties of Butler and Edmonson.

By same—

An act to incorporate the Hopkinsville Hotel Company.

By same—

An act authorizing the trustees of South Carrollton, in Muhlenburg county, to open and close streets and alleys in said town, with the consent of the property-owners.

By same—

An act to amend and reduce into one the several acts relating to the town of Uniontown.

By same—

An act to amend the charter of the town of Woodburn, in Marion county.

By same—

An act to amend the charter of the Salomon Gas Company.

By same—

An act to incorporate the Champion Coal and Towboat Company.

By same—

An act to incorporate the Cloverport Printing Company.

By same—

An act to incorporate the Hopkinsville and Nashville Coal Mining Company.

By same—

An act to incorporate the Ladies' Hebrew Benevolent Society.

By same—

An act to incorporate the town of Greencastle.

By same—

An act to amend the charter of the town of Sonora.

By same—

An act, entitled "An act to amend the charter of the town of Slaughtersville."

By same—

An act to charter the Central Express Company.

By Mr. Bruner, from the same committee—

An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county."

By same—

An act to amend an act, entitled "An act to charter the town of Hiseville, in Barren county," approved March 5th, 1868.

By same—

An act to establish a work-house, hospital and pest-house, in the county of Bourbon.

By same—

An act to incorporate Paradise Lodge, No. 255, Independent Order of Odd Fellows.

By same—

An act to incorporate the Cloverport and Rock Lick turnpike road company.

By Mr. Payne, from the same committee—

An act for the benefit of Rebecca Timmons, widow of John Timmons, deceased,

By same—

An act to incorporate Forest Lodge, No. 308, Free and Accepted Masons.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie moved to reconsider the vote by which the Senate on yesterday passed a bill to incorporate the Lexington and Harrodsburg and Tennessee railroad company.

And the question being taken thereon, it was decided in the affirmative.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Baker, from the Committee on the Judiciary—

A bill to authorize the county court of Boone to incorporate the town of Belleview.

By Mr. Holt, from the same committee—

A bill to establish a ferry opposite Caledonia, Illinois.

By Mr. C. T. Worthington, from the Committee on Religion—

A bill to amend an act, entitled "An act to organize Urania school district, in Barren county," approved 20th February, 1869.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Winfrey, from the Committee on Military Affairs, reported a bill concerning the Adjutant General.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Garriott moved that said bill be printed, and made the special order of the day for Friday next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chandler and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	W. H. Payne,
Jos. M Alexander,	Evan M. Garriott,	I. A. Spalding,
A. K. Bradley,	G. A. C. Holt,	Philip Swigert,
John B. Bruner,	O. P. Johnson,	Oscar Turner,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John B. Clarke,	W. Lindsay,	Ben. J. Webb,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—21.

Those who voted in the negative, were—

F. M. Allison,	Joseph Gardner,	H. Thompson,
R. T. Baker,	P. H. Leslie,	I. C. Winfrey,
Joseph H. Chandler,	D. Y. Lyttle,	C. T. Worthington—9.

Mr. Clarke moved to reconsider the vote by which the Senate had, on the 5th inst., rejected a bill for the benefit of Mrs. Jas. H. Garrard.

Which motion was only entered.

On motion of Mr. Leslie, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Wm. B. Craddock, former sheriff of Hart county.

After a short time, said bill was handed in at the Clerk's desk.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Finance.

Mr. Payne, from the Committee on Revised Statutes, reported a bill to authorize Hines & Carson to sue the Commonwealth of Kentucky.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the late firm of Hines & Carson, or either of said firm, composed of George R. Hines and Thomas D. Carson, be, and they are, authorized to institute and prosecute a suit or suits against the Commonwealth of Kentucky in the Butler circuit court, for the recovery of any and all claims they hold against said Commonwealth as fully and completely as in any other suit, and may take the same to the court of appeals if they choose as in other suits, and they may have trial in the said county of Butler, or any other county to which the venue may be changed by order of said court. The process in said suit to be executed on the Attorney General of said Commonwealth in any county in this State, and when so executed, the suit may progress as other suits.

§ 2. This act shall take effect from and after its passage.

Mr. Alexander moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Allison and Vallandingham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
Jos. M. Alexander,	W. C. Halbert,	Philip Swigert,
R. T. Baker,	G. A. C. Holt,	Oscar Turner,
A. K. Bradley,	O. P. Johnson,	A. C. Vallandingham,
John B. Bruner,	P. H. Leslie,	Ben. J. Webb,
Tho. P. Cardwell,	Henry C. Lilly,	I. C. Winfrey,
Joseph H. Chandler,	W. Lindsay,	C. T. Worthington,
John B. Clarke,	I. T. Martin,	W. J. Worthington—24.

Those who voted in the negative, were—

F. M. Allison,	Evan M. Garriott,	W. H. Payne—4.
A. H. Field,		

Mr. Payne, from the Committee on Revised Statutes, reported a bill giving to owners of stallions and jackasses a lien on the colt to secure the foal fee.

Which was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all owners and keepers of stallions and jackasses, having no other security, shall have a prior lien upon the colt produced by said stallion or jackass to secure the payment of the foal fee hereafter created, and said lien may be enforced as other liens in any court of competent jurisdiction.

§ 2. This act to take effect from its passage.

Mr. Halbert moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. H. Field,	Oscar Turner,
A. K. Bradley,	Joseph Gardner,	Ben. J. Webb,
John B. Bruner,	P. H. Leslie,	I. C. Winfrey,
Jos. H. Chandler,	W. Lindsay,	C. T. Worthington—13.
John B. Clarke,		

Those who voted in the negative, were—

A. D. Cosby,	G. A. C. Holt,	I. A. Spalding,
Evan M. Garriott,	O. P. Johnson,	Harrison Thompson,
W. C. Halbert,	Henry C. Lilly,	W. J. Worthington—9.

A message was received from the House of Representatives, announcing that they had received official information from the Gov-

ernor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Covington and De Courcey Creek turnpike road company, in Kenton county.

An act, entitled "An act amending the road laws of the county of Gallatin."

An act to incorporate the Four Mile and Twelve Mile turnpike road company, in Campbell county.

An act providing for a tax to assist in completing and building turnpike roads in Anderson county.

An act to incorporate the Warsaw and South Fork turnpike company.

An act to amend the charter of the Independence and Colemansville turnpike road company.

An act to amend an act, entitled "An act to establish a levy and county court for Jefferson county," approved February 23, 1854.

An act to provide for indexing certain records in Jefferson county.

An act concerning the Louisville chancery court.

An act to amend the charter of the town of Calhoon.

An act for the protection of game in certain counties of this State.

An act for the benefit of the Lexington, Harrodsburg, and Perryville turnpike road company.

An act for the benefit of Tate's Creek turnpike road.

An act to amend an act, entitled "An act to incorporate the Mayslick and Murphysville turnpike road company."

An act for the benefit of P. A. Lyon.

An act to authorize Amanda Burnett to establish a ferry across the Big Sandy river.

An act to re-enact article 18, chapter 36, of the Revised Statutes.

An act to repeal an act, entitled "An act to amend article 2, chapter 42, of the Revised Statutes, title 'Guardian and Ward,'" approved February 18th, 1864.

An act, entitled "An act to amend the charter of the town of Mt. Sterling."

An act to establish the Valley ferry.

An act to repeal an act, entitled "An act for the benefit of Eliza A. G. Ross."

An act to revive and extend an act, entitled "An act for the benefit of J. H. Terrell, administrator of G. B. Grundy, deceased."

An act to apply the general mechanics' lien law to Hart county.

An act for the benefit of Tho. R. Russell, jailer of Trigg county.

An act for the benefit of the mechanics in Casey county.

An act to construct a turnpike road from Fox Run to Tucker's Shop.

An act to amend the charter of the Winchester and Lexington turnpike road company.

An act for the benefit of James Gillem, of Carter county.

An act for the benefit of John H. Burdett, of Carter county.

An act to amend the police laws and charter of the town of Independence.

An act to re-enact an act, entitled "An act for the benefit of Sarah S. Fowler, of Livingston county," approved 30th January, 1850.

An act to charter the Murray and Pine Bluff turnpike or gravel road company, in Calloway county.

An act to authorize the marshal of the town of Cloverport to appoint a deputy.

An act to incorporate the town of Concordia.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Columbus.

An act to amend an act, entitled "An act to incorporate the Louisville and Harrodsburg and Virginia railroad," approved March 9th, 1868.

An act to change the place of voting in Covington precinct, No. 4, in Warren county.

An act to change the place of voting in Hiseville district, in Barren county.

An act empowering the Russell county court for certain purposes.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Estill county court;

An act legalizing certain sales of property for railroad tax;

An act concerning Blue Spring Baptist Church, in Barren county;

An act for the benefit of James Haggard, of Cumberland county;

An act confirming the sale of Martin Institute;

Resolution in relation to ordnance of the State;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Licking and Big Sandy railroad company;

An act for the benefit of Gallatin county;

An act to change the time of holding the quarterly courts in Knox county;

An act to allow Edward Air, clerk of the Campbell county court, further time to give official bond;

An act repealing an act, entitled "An act to regulate the jurisdiction of the Harrison quarterly court," approved February 18, 1868;

An act to amend the 844th section of the Civil Code of Practice;

An act enlarging the powers of the trustees of the town of Edmonton, in Metcalfe county;

Resolution in relation to a final adjournment;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Leave of indefinite absence was granted to Messrs. Baker, Lyttle, Lindsay, Holt, and to Mr. Halbert after Thursday next.

And then the Senate adjourned.

TUESDAY, MARCH 9, 1869.

A message was received from the House of Representatives, announcing their disagreement to the passage of a bill, which originated in the Senate, entitled

An act authorizing any litigant to use original county court land warrants and plats in certain cases.

That they had passed bills and adopted a resolution from the Senate of the following titles, viz:

An act authorizing the trustees of the Methodist Episcopal Church, South, in Cynthiana, to sell and convey their church property and reinvest the money.

An act for the benefit of Robert E. Puryear.

An act to amend an act, entitled "An act permitting the sale of real estate at the door of the court-house in the city of Newport," approved February 6, 1858.

An act to incorporate the Spencer County Mutual Insurance Company.

An act to incorporate the German Roman Catholic St. Joseph's Benevolent Society, of the city of Newport.

An act concerning the sale of liquors in district No. 4, in Monroe county.

Resolution in relation to George Rogers Clarke.

That they had passed bills of the following titles, viz:

1. An act to protect lands under inclosure and punish the unlawful entry on the same.

2. An act abolishing the infliction of stripes as a punishment for offenses in this State, and substituting in the place thereof imprisonment at hard labor.

3. An act for the benefit of William M. Fulkerson.

4. An act legalizing certain acts of the Mercer county court.

5. An act to incorporate the Farmers' Protection Association.

6. An act to amend the charter of Raywick, in Marion county.

7. An act to repeal an act, entitled "An act to prevent the sale of spirituous liquors within one mile of the town of St. Mary's in Marion county.

8. An act to amend an act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund."

9. An act to amend the charter of the town of Loretto, in Marion county.

10. An act to fix the time of holding the summer term of certain circuit courts in the seventh judicial district.

11. An act authorizing the Auditor to sell lands for the non-payment of taxes, and regulate the conveyance, redemption, and recovery thereof.

12. An act to authorize the Simpson county court to aid in constructing turnpikes in said county.

13. An act to punish the malicious cutting of hose.

14. An act for the benefit of George Berkemier, of Campbell county.

15. An act for the benefit of Martin Lynch, of Campbell county.

16. An act to prevent the clerk of any circuit, common pleas, quarterly, or county court of this Commonwealth, from practicing law in the county where he resides.

17. An act to consolidate common school districts Nos. 16 and 18, in Kenton county.

18. An act for the benefit of Thomas Cook, late sheriff of Clay county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 6th, 8th, 9th, 13th, 14th, and 15th to the Committee on the Judiciary; the 4th to the Committee on County Courts; the 5th to the Committee on Agriculture and Manufactures; the 7th to the Committee on Revised Statutes; the 10th and 16th to the Committee on Circuit Courts; the 11th and 18th to the Committee on Finance; the 12th to the Committee on Internal Improvement, and the 17th to the Committee on Education.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of A. L. Morton, clerk of Ohio circuit court.

An act to amend the charter of the city of Covington.

An act to amend an act, entitled "An act to incorporate the Bank of Cadiz."

An act to provide for the collection of railroad tax in Nicholas county.

An act to authorize the county court of Lawrence county to impose additional taxes, and to authorize them to issue bonds.

An act to prevent deer-driving in that portion of Lyon county lying between the Cumberland and Tennessee rivers.

An act to incorporate the town of Pembroke, in Christian county.

An act to regulate the assessment of railroad tax in McCracken county.

An act in relation to warehousemen and warehouse receipts.

An act to incorporate the Green County Agricultural and Mechanical Association.

An act to authorize the Montgomery county court to levy an ad valorem tax to aid the Mt. Sterling and Spencer turnpike company, in said county, in paying for a bridge over Slate creek.

An act to amend an act, entitled "An act to authorize McLean county to vote on the road tax."

An act to incorporate the Highland Cemetery.

Mr. Swigert withdrew the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Russellville.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of the Mt. Sterling and Levee turnpike road company,

Together with the amendment heretofore proposed.

The question was then taken on the adoption of the amendment, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Standeford, from the Committee on Internal Improvement, to whom had been referred a bill from the House of Representatives, entitled

An act to amend the charter of the Evansville, Henderson, and Nashville railroad company,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Allison and Holt, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	W. Lindsay,
F. M. Allison,	Evan M. Garriott,	Oscar Turner,
Robert Boyd,	G. A. C. Holt,	W. L. Vories,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb,
John B. Clarke,	P. H. Leslie,	W. J. Worthington—15.

Those who voted in the negative, were—

A. K. Bradley,	Henry C. Lilly,	Philip Swigert,
John B. Bruner,	I. T. Martin,	Harrison Thompson,
Joseph H. Chandler,	I. A. Spalding,	A. C. Vallandingham,
A. D. Cosby,	E. D. Standeford,	I. C. Winfrey—13.
W. C. Halbert,		

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bradley and Allison, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Evan M. Garriott,	Oscar Turner,
Robert Boyd,	G. A. C. Holt,	W. L. Vories,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb,
John B. Clarke,	P. H. Leslie,	W. J. Worthington—14.
Joseph Gardner,	W. Lindsay.	

Those who voted in the negative, were—

A. K. Bradley,	A. H. Field,	E. D. Standeford,
John B. Bruner,	W. C. Halbert,	Philip Swigert,
John G. Carlisle,	Henry C. Lilly,	Harrison Thompson,
Jos. H. Chandler,	I. T. Martin,	A. C. Vallandingham,
Lyttleton Cooke,	I. A. Spalding,	I. C. Winfrey—16.
A. D. Cosby,		

So said bill was disagreed to.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Cooke, from the Committee on the Judiciary—

A bill to incorporate the People's Stove, Grate, and Mantel Manufacturing Company, of Louisville.

By same—

A bill to incorporate Calvary Church, in the city of Louisville.

By same—

A bill to incorporate the German Odd Fellows' Mutual Life Assurance Company.

By Mr. Carlisle, from the same committee—

A bill to amend the charter of the Cairo Junction railroad company.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate Baxter Dispensary, of Louisville.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill for the benefit of the Hillsboro and Mouth of Fox turnpike road company.

By same—

A bill to incorporate the town of Pellville, in Hancock county.

By same—

A bill more effectually to punish the crime of vagrancy in the city of Lexington.

By same—

A bill to incorporate the German Working Men's Benevolent Society, of Dayton.

By same—

A bill to incorporate the Louisville, Henderson, and Paducah railroad company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration an engrossed bill from the House of Representatives, entitled.

An act appropriating two thousand dollars to remove obstructions out of the Sturgeon Fork of the Kentucky river.

[*For bill—see this Journal, page* 520.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	W. H. Payne,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
Robert Boyd,	W. C. Halbert,	E. D. Standeford,

Tho. P. Cardwell,	G. A. C. Holt,	Philip Swigert,
John G. Carlisle,	O. P. Johnson,	Harrison Thompson,
John B. Clarke,	Henry C. Lilly,	W. J. Worthington—20.
Lyttleton Cooke,	I. T. Martin,	

Those who voted in the negative, were—

A. K. Bradley,	P. H. Leslie,	W. L. Vories,
John B. Bruner,	Oscar Turner,	Ben. J. Webb,
Jos. H. Chandler,	A. C. Vallandingham,	I. C. Winfrey—10.
Evan M. Garriott,		

Resolved, That the title of said bill be as aforesaid.

The Senate also took up for consideration a bill to pay military claims audited by the Quarter-Master General,

Together with the substitute offered by the Committee on Finance.

Said amendment, as a substitute for said bill, reads as follows, viz:

WHEREAS, The General Assembly, by acts approved February 17th, 1866, and March 9th, 1867, provided for the auditing of certain military claims against the State of Kentucky, with a view to their collection from the United States; and whereas, the Quarter-Master General has made report to this Legislature at its present winter's sitting that there are claims now on file in his office, properly proven and authenticated as the said enactments require, against the State of Kentucky, amounting to sixteen thousand eight hundred and thirteen dollars and ninety-two cents, which are for balances due State troops, forage, subsistence, &c., &c.; and in order to carry out the purpose of said enactments of said General Assembly, and in order to pay said debts against the State,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Public Treasury in payment of each of said claims so reported as aforesaid by said Quarter-Master, and the same shall be paid out of the first moneys received from the United States on account of the war debt now due the State of Kentucky, or which shall become due.

§ 2. The said Quarter-Master General is hereby directed to cause the said claims, so soon as they are paid, to be made up into an installment of the war debt and presented to the general government for payment.

§ 3. That said Quarter-Master General shall report to the next General Assembly of this State such further list and amount of claims against the State as shall be presented and filed in his office, authenticated and proven up as the said acts of 11th February and 9th March require, on or before the first day of November, 1869; and all claims against the State for services, subsistence, or anything else covered and referred to in said acts, shall be presented and filed with said Quarter-Master, regularly proven and made a sufficient voucher under the law, on or before that day; and all laws allowing such claim, to be presented and proven before said Quarter-Master General, and requiring him to make report of them in any way, are hereby declared

repealed, from and after the fifteenth day of December, 1869, it being the purpose of this Legislature to thus give ample time to claimants and close up this class of supposed indebtedness at that time.

§ 4. This act to take effect from its passage.

The question was then taken on the adoption of the amendment as a substitute for said bill, and it was decided in the affirmative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
Jos. M Alexander,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
John B. Bruner,	W. C. Halbert,	H. Thompson,
Tho. P. Cardwell,	G. A. C. Holt,	A. C. Vallandingham,
John G. Carlisle,	O. P. Johnson,	W. L. Vories,
Jos. H. Chandler,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	Henry C. Lilly,	I. C. Winfrey,
Lyttleton Cooke,	W. Lindsay,	W. J. Worthington—29.
A. D. Cosby,	I. T. Martin,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill to re-enact an act to provide for a Geological and Mineralogical Survey of the State, approved 6th March, 1854.

Mr. Vallandingham moved an amendment as a substitute for said bill.

Ordered, That said amendment be printed, and that the bill and amendment be made the special order for to-morrow.

The Senate also took up for consideration a bill to provide for the organization and regulation of incorporated companies, except banking and insurance companies.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley moved to reconsider the vote by which the Senate had rejected a bill to authorize Hines & Carson to sue the Commonwealth of Kentucky.

Which motion was only entered.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act concerning Quarter-Master General's Office, continuing salary thereof for one year,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Quarter-Master General's Office be, and is hereby, continued upon its present footing, with the same clerical force, and at the same salaries, for the period of one year from and after the 16th day of Febuary, 1869.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. T. Martin,
Jos. M. Alexander,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Evan M. Garriott,	E. D. Standeford,
Tho. P. Cardwell,	W. C. Halbert,	Philip Swigert,
John G. Carlisle,	G. A. C. Holt,	H. Thompson,
Joseph H. Chandler,	O. P. Johnson,	A. C. Vallandingham,
John B. Clarke,	P. H. Leslie,	W. L. Vories,
Lyttleton Cooke,	Henry C. Lilly,	Ben. J. Webb,
A. D. Cosby,	W. Lindsay,	I. C. Winfrey—27.

Those who voted in the negative, were—

Robert Boyd, John B. Bruner—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Wm. D. Cummings,

Reported the same without amendment.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for William D. Cummings to institute

suit, by equitable proceedings, in the Franklin circuit court, against the State of Kentucky, for the purpose of trying the question whether the State of Kentucky is or not responsible in damages to the said William D. Cummings for the sinking of the steamer Mason, at or near lock No. 1, upon Green river; and if responsible, for the ascertainment of the damages sustained by the said Cummings, resulting from the sinking of said steamer.

§ 2. It shall be the duty of the Attorney General of the State of Kentucky to defend said suit for and on behalf of the State of Kentucky, and that the service of summons or notice upon the Attorney General shall be deemed and held as sufficient notice to the State of Kentucky in all matters where notice is required to be given or summons to be issued.

§ 3. The said court shall have jurisdiction to hear and determine all the matters involved in said suit upon equitable principles, as fully, and to all intents and purposes, as if the suit was altogether between private persons.

§ 4. That if either party shall be dissatisfied with the decision of the Franklin circuit court, the right is hereby given to appeal to the court of appeals, whose decision shall be conclusive.

§ 5. This act to take effect from the date of its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vallandingham and Martin, were as follows, viz:

Those who voted in the affirmative, were—

John G. Carlisle,	Henry C. Lilly,	I. A. Spalding—5.
W. C. Halbert,	I. T. Martin,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
Robert Boyd,	G. A. C. Holt,	Harrison Thompson,
A. K. Bradley,	O. P. Johnson,	A. C. Vallandingham,
John B. Bruner,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	W. Lindsay,	Ben. J. Webb,
John B. Clarke,	E. D. Standeford,	I. C. Winfrey—19.
A. D. Cosby,		

So said bill was disagreed to.

A message was received from the House of Representatives, announcing their concurrence in a resolution from the Senate, entitled

Resolution in relation to the cities of Hickman and Columbus.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Martin Lynch, of Campbell county.

Reported the same without amendment.

Mr. Lindsay moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cooke, from the Committee on the Judiciary—

An act to explain and amend an act, entitled "An act to extend the boundary line of the city of Louisville," approved 9th March, 1868.

By same—

An act to incorporate the town of Salem, in Livingston county.

By same—

An act to incorporate the Working Men's Mutual Relief Association, of Kentucky.

By same—

An act to charter the Louisville Rose Pearl Company.

By same—

An act to amend the charter of the city of Louisville.

By same—

An act to incorporate the Floral Park Association, of Louisville.

By same—

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867.

By same—

An act to amend an act, entitled "An act for the benefit of persons holding lands lying back of other lands in the vicinity of any of the navigable streams in this State."

By same—

An act to amend the charter of the town of Shelby City.

By same—

An act for the benefit of Hubbard Williamson, of Pike county.

By same—

An act to amend the charter of the city of Louisville.

By same—

An act to amend an act, entitled "An act to incorporate the Mutual Benevolent Police Union, No. 1, of Kentucky."

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Union Bridge Company.

By Mr. Boyd, from the Committee on County Courts—

An act for the benefit of John Seaton, late judge of the Greenup county court.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to incorporate the State Fire and Marine Insurance Company, of Kentucky.

By same—

An act to amend the charter of West Covington.

By same—

An act to repeal the charter and amended charter and incorporate the town of Nicholasville.

By same—

An act to incorporate the Laboring Man's Loan and Aid Association, of Louisville.

By same—

An act in regard to the Jefferson Pond Draining Company.

By same—

An act to amend an act, entitled "An act to incorporate the town of Osceola."

By same—

An act to amend the charter of the town of Washington, in Mason county.

By same—

An act to incorporate the town of Bremen, in Muhlenburg county.

By same—

An act to amend the charter of the town of Crittenden.

By same—

An act to incorporate the Covington Social Club.

By same—

An act to create an additional magistrates' district and voting precinct in Christian county.

By same—

An act to incorporate the town of Visalia, in Kenton county.

By same—

An act to incorporate the Southern Mail Company.

By same—

An act to amend the charter of the Southern Life Insurance Company.

By same—

An act to incorporate the Flemingsburg and Millwood turnpike road company.

By same—

An act to amend the charter of the city of Henderson.

By same—

An act to amend the several acts incorporating the town of Falmouth, in Pendleton county, approved January 31, 1867.

By same—

An act creating the Mt. Sterling Sentinel a legally authorized newspaper.

By same—

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Princeton."

By same—

An act to amend the charter of Raywick, in Mason county.

By same—

An act to amend an act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund."

By same—

An act for the benefit of George Berkemier, of Campbell county.

By Mr. Cooke, from the same committee—

An act to incorporate the St. Louis Mutual Insurance Association, of Louisville.

By same—

An act to incorporate the Guthrie Insurance Company, of Louisville.

By same—

An act to incorporate the Frankfort Fire and Marine Insurance Company.

By Mr. Carlisle, from the same committee—

An act to change the name and extend the limits of the town of Berry Station, in Harrison county.

By same—

An act authorizing the trustees of the town of Falmouth to sell certain alleys in said town.

With amendments to the last five named bills.

Which were concurred in.

Ordered, That said bills, the last five as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cooke, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the National Fire and Marine Insurance Company, of Louisville,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to re-establish the present ferry across the Cumberland river at Eddyville,

Reported the same, with the expression of opinion that said bill ought not to pass.

Mr. Cooke moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend sections 445 and 373 of the Civil Code of Practice;

An act to legalize the proceedings of the Bowling Green Building Company;

An act for the benefit of the trustees for the churches composing the Logan circuit of the M. E. Church, South;

An act declaring Station creek and Buck creek, &c., in Estill county, navigable streams;

An act to incorporate the Howard's Mills and Owingsville turnpike road company;

An act for the benefit of school district No. 29, in Clinton county;

An act to prevent the destruction of fish in Clover creek, in Breckinridge county;

An act to amend the charter of the town of Hodgenville;

An act legalizing the orders and levies of the Larue county court at the October term, 1868;

An act for the benefit of John Dishman;

An act to facilitate the finding of records in Hart county;

An act to amend an act to empower county courts to take stock in turnpike roads in this Commonwealth, approved March 9, 1868;

An act to fix the time of holding the courts of justices of the peace in Bourbon county;

An act for the benefit of Ballard county;

An act to create an additional civil district in Washington county;

An act to authorize the county court of Mason county to sell the poor-house property and reinvest the proceeds;

An act for the benefit of Madison county, authorizing the county court to levy an additional tax;

An act to regulate the county levy of Shelby county;

An act to amend an act, entitled "An act authorizing the citizens of Brandenburg to elect a police judge and marshal," approved January 28, 1854;

An act to change the Point district voting place, in Pulaski county;

An act to regulate the jurisdiction of justices of the peace in Carrsville civil district, in Livingston county;

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26th, 1868;

An act regulating and changing the times of holding the quarterly and county and magistrates' courts in the county of Greenup;

An act to legalize and make valid all summons and process, and the returns thereon issued and made returnable to the next term of the Lawrence circuit court, as if made returnable to the next May term of said court, and to legalize and make valid all proceedings thereunder;

An act for the benefit of the Johnson county court;

An act to authorize the county judge of Henderson county to appoint additional processioners for that county;

An act for the benefit of Hardin county;

An act for the benefit of Boyle county;

An act to repeal an act, entitled "An act to prevent the destruction of fish in Little river, in Trigg county," approved February 20, 1868;

An act to incorporate the Cane Run and King's Mill turnpike road company, in Mercer county;

An act to create the office of treasurer in Muhlenburg county;

An act to amend section 457 of the Civil Code of Practice;

An act to authorize the voters of Bourbon county to vote on a proposition to subscribe to the stock of certain railroads, and to provide for issuing bonds of said county to pay the same;

An act to authorize the assignment of executions in favor of the Commonwealth against sheriffs and their sureties;

An act to amend the charter of the city of Henderson;

An act to amend the charter of the town of Mt. Olivet;

An act to amend an act, entitled "An act to incorporate the town of Trenton," approved March 5th, 1868;

An act to prohibit the sale of intoxicating liquors in Cave Spring Station, in Logan county;

An act to amend the charter of the town of Hustonville;

An act to amend the act, approved February, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg," and also of the several acts amendatory thereof;

An act to authorize McLean county to vote on the removal of the court-house in Calhoon;

An act to repeal an act, entitled "An act for the benefit of James Sudduth," approved February 25, 1848;

An act to amend the charter of Owingsville, in Bath county;

An act to authorize the people of Henry county to vote a tax for the purpose of aiding companies in the building of turnpike roads in said county;

And an enrolled bill, which originated in the Senate, entitled

An act to amend two acts in regard to Vanceburg, in Lewis county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

On motion of Mr. Clarke, leave was given to bring in a bill to amend the charter of the Brooksville and Rock Spring turnpike road company, in Bracken county.

Ordered, That the Committee on Internal Improvement prepare and bring in said bill.

The following petitions were presented, viz:

By Mr. Cosby—

1. The petition of sundry citizens of Daviess county, asking that F. M. Austin be permitted to retail liquors without paying the tax required by law.

By Mr. Speaker (Johnson)—

2. The petition of H. S. Gaar, asking protection against boats, &c., moored along his lands.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on the Judiciary.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act concerning Blue Spring Baptist Church, in Barren county.

An act confirming the sale of Martin Institute.

An act for the benefit of the Estill county court.

An act legalizing certain sales of property for railroad tax.

Resolution in relation to ordnance of the State.

And then the Senate adjourned.

WEDNESDAY, MARCH 10, 1869.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the benefit of the town of Franklin.

That they had passed bills from the Senate of the following titles, viz:

An act for the benefit of Greenup county.

An act for the benefit of W. F. Harrison.

An act for the benefit of Adam C. Fox.

An act to incorporate the Cowan turnpike road company, in Boyle and Mercer counties.

An act for the benefit of F. C. Trice.

An act to authorize the trustees of the town of Columbia to appropriate money to build a school-house in said town for common school purposes.

An act for the benefit of Nelson county.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend the charter of the Masonic Fraternity of Louisville," approved February 2d, 1860.

2. An act for the benefit of John Deaton and John Lewis, jr.

3. An act to incorporate the town of Fredonia.

4. An act to authorize the city of Lexington to subscribe stock in the Maysville and Lexington railroad company, Northern Division.

5. An act for the benefit of Eliza J. Speed, Lucy G. Speed, and others.

6. An act to incorporate the Ohev Sholem congregation in the city of Paducah.

7. An act to permit the vending or distribution of bibles, hymn-books, prayer-books, and other religious publications, without license.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 5th, and 6th to the Committee on the Judiciary, and the 2d, 4th, and 7th to the Committee on Finance.

Mr. Carlisle, from the Committee on the Judiciary, to whom was recommitted a bill to regulate the fees of circuit court clerks in certain cases,

Reported the same, with an amendment as a substitute for said bill.

Ordered, That said amendment be printed, and made the special order of the day for to-morrow.

The Senate took up for consideration a bill to establish a State Board of Immigration, as heretofore amended.

Ordered, That said bill, as amended, be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a State Board of Immigration is hereby established, which shall consist of the Governor and Auditor of Public Accounts, who shall be *ex officio* members, and one from each Congressional district, to be selected by the members of the Legislature from their respective Congressional districts, who shall hold their offices for two years, and

until their successors are qualified. The Governor is to be *ex-officio* president of the board. All vacancies to be filled by the board.

§ 2. It shall be the duty of the president to call meetings of the board at such times and places as he may deem proper, not to exceed four meetings in any one year.

§ 3. At its first regular meeting (which shall not be later than the 20th of April, 1869) the board shall elect a commissioner of immigration, who shall be a citizen of Kentucky, a white man, and over the age of twenty-one years. He shall keep his office in or near the State House at Frankfort, which office shall be furnished as the other public offices of the State are furnished. Before entering upon his duties said commissioner shall take an oath and execute bond to the Commonwealth, with surety, to be approved by the Governor, to the effect that he will faithfully, and to the best of his ability, discharge the duties of his office, and faithfully apply all moneys intrusted to him in such objects and in such manner as the board may direct. He shall hold his office for two years, or at the discretion of the board; shall receive as compensation a salary of one thousand dollars per annum, and shall be authorized to charge each applicant a fee of ten cents for every laborer applied for by him, and a fee of 2½ per cent. for value of all land sold, and fifty cents for each laborer furnished. It shall be the duty of the commissioner, under the direction of the board, to obtain, publish, and circulate such reports, maps, and other information, as in the judgment of the board will best conduce to invite immigration to this State, and said board shall have said printing done where it can be done cheapest, in their judgment. The commissioner shall receive and forward to such agents as may be employed, all applications for laborers, and all proposals for the sale or lease of lands. He shall keep a memorandum, in a well-bound book, of all applications for laborers, and proposals for sale of property, showing the residence of applicants, number and description of laborers, proposed wages, and also the location, character, value, &c., of all lands offered for sale; but no application shall be received except it be made by a citizen of this State, and accompanied by a certificate, under seal of the county court clerk of the county of his or her residence, that he or she is a person of honesty, probity, and good demeanor, and pecuniarily responsible for his or her contracts. He shall report, in writing, quarterly to the board, the general operations and results of his office, which reports shall be submitted to the General Assembly at each regular session thereof, or whenever requested by that body.

§ 4. The Board of Immigration shall have power to appoint one foreign agent, and may employ such local agents in the United States, and on such terms as to them may seem best, whose duty it shall be to secure the proper distribution of such pamphlets, documents, &c., as may be furnished them by the commissioners; to secure and forward such laborers as may be applied for; to effect sales of property under the instructions of the commissioner, and to encourage, in every way, immigration to the State.

§ 5. Said foreign agent shall receive for his services twenty-five hundred dollars in currency, per annum, and shall be entitled to charge

such commission on each one hundred dollars' worth of property sold or leased by him, to be paid by the seller or lessor, as the board may direct, under such regulations as it may prescribe.

§ 6. To defray the expenses herein authorized to be incurred, the sum of twelve thousand dollars per annum is hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated; and, on the order of the president of the board, the Auditor is directed to draw his warrant on the Treasurer for said amount.

§ 7. This act to take effect from its passage, and be in force two years.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

John G. Carlisle,	I. T. Martin,	E. D Standeford,
Lyttleton Cooke,	I. A. Spalding,	Ben. J. Webb—6.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	Henry C. Lilly,
Jos. M. Alexander,	Wm. A. Dudley,	W. Lindsay,
F. M. Allison,	A. H. Field,	Philip Swigert,
Robert Boyd,	Joseph Gardner,	Harrison Thompson,
A. K. Bradley,	Evan M. Garriott,	A. C. Vallandingham,
John B. Bruner,	W. C. Halbert,	I. C. Winfrey,
Tho. P. Cardwell,	O. P. Johnson,	W. J. Worthington—23.
Jos. H. Chandler,	P. H. Leslie,	

So said bill was rejected.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to incorporate the Spencer County Mutual Insurance Company;

An act to establish a court of common pleas for the county of Warren;

Resolution in relation to the cities of Hickman and Columbus;

Resolution in relation to Gen. George Rogers Clarke;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Joseph L. McCarty, late sheriff of Whitley county, and his sureties;

An act supplemental to an act to improve the navigation of Licking river;

An act to organize and establish a system of public schools in the city of Henderson;

An act to amend an act incorporating the Williamstown Academy, approved March 1st, 1860;

An act to incorporate the German Bank of Louisville;

An act for the benefit of James Bartley, late sheriff of Monroe county, and his securities;

An act to establish the county of Menifee;

An act for the benefit of the Campbell county court;

An act for the benefit of the county court of Edmonson county;

An act in relation to State roads in Marshall and Crittenden counties;

An act to change the time of holding the Todd quarterly court;

An act to amend an act, entitled "An act to authorize the Campbell county court to make subscriptions to the capital stock of turnpike road companies located within the limits of said county;"

An act for the benefit of J. M. Lewis, of Boyle county;

An act to exempt certain counties and districts from tax on seals in certain cases;

An act for the benefit of Robert McAlister, late sheriff of Greenup county;

An act to authorize the Attorney General to bring suit against Wm. T. Samuels, late Auditor of the State;

An act to amend and reduce into one the acts incorporating the town of Louisa;

An act to amend chapter 16, article 6, section 3, of the Revised Statutes;

An act to incorporate the North Middletown and Thatcher's Mill turnpike road company;

An act to amend the charter of the Great Crossings and Stamping Ground turnpike road;

An act to amend an act, entitled "An act to incorporate the Wyoming and Bald Eagle turnpike road, in Bath county," approved March 9, 1867;

An act to incorporate the Evening Star Temple of Honor, Boyd county;

An act to incorporate the Mt. Vernon and Boone's Gap turnpike road company;

An act concerning Plank Road street, in the city of Henderson;

An act to incorporate the Cabin Creek, Springdale, and Maysville turnpike road company;

An act to amend the charter of the city of Ludlow;

An act to incorporate the Woodford Hotel Company;

An act to amend an act, entitled "An act to incorporate the town of Midway, in Woodford county;"

An act to incorporate the Monterey and Cedar Creek turnpike road company, in Owen county;

An act to amend the charter of the Bedford and Milton turnpike road company;

An act to amend the charter of the town of Marion, in Crittenden county;

An act for the benefit of the town of Fairview;

An act to incorporate the Flat Fork and Bethel Branch turnpike road company;

An act to authorize the Louisville and Nashville railroad company to extend its Bardstown Branch;

An act to amend an act to incorporate the Licking River Lumber and Mining Company;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

On motion of Mr. Cooke, a message was sent to the House of Representatives, asking leave to withdraw the announcement of the passage of a bill by the Senate from the House of Representatives, entitled

An act to incorporate the Louisville, Kentucky, Cement Company.

After a short time, said bill was handed in at the Clerk's desk.

On motion, the vote by which said bill had passed was reconsidered.

The votes dispensing with the third reading and ordering said bill to be read a third time were also reconsidered.

Said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to incorporate the Pilcher Cement Company.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act authorizing judgments by default to be recorded in a separate book,"

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, it was decided in the negative.

So said bill was disagreed to.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KENTUCKY,
March 10, 1869.

Gentlemen of the Senate and House of Representatives:

I herewith transmit a concurrent resolution of Congress, entitled "A Resolution proposing an amendment to the Constitution of the United States."

The direct effect of this proposed change is to subvert the structure of our federative system of government under which we have lived and been so signally blessed with happiness, prosperity, and power, during the past eighty years.

It ignores the relations which the Government of the United States and those of the separate States bear to each other.

It obliterates and destroys the division between the delegated powers vested in the Government of the United States and those vested in the respective State governments, or reserved to the people of the several States respectively.

It utterly absorbs the reserved rights of the States.

Its purpose is to annihilate the State governments. It takes from them powers expressly vested and reserved, and, by abrogating the partition of power between the Federal and State governments, whose mutual action and reaction were looked to by our fathers as checks to prevent either from encroaching on and absorbing the powers of the other, and as limitations to keep each within their proper sphere, utterly destroys the equilibrium of the entire system. The result must be that a consolidated central government, with the States as mere abject appendages, will supplant the wise and beneficent duplex system of government, formed by the Constitution of the United States in 1787.

No one can deny that the ratification of the proposed amendment is a total revolution in the character of our governmental system.

It destroys and supersedes the original sovereign power of the several States, by depriving them of rights essential to their preservation as States.

This amendment elevates the Federal government to the absolute and supreme authority in our federal system against the intention of the framers of government, against the letter and spirit of the Constitution itself, and in violation of the understanding of the people of all the States, when they ratified and adopted it.

It is an amendment which must engender excitement and passion, when the people want peace.

It involves the very existence of the State governments, by destroying powers which the States reserved as self protecting checks upon Federal usurpation.

Again, this proposed amendment is to be hastily submitted, at a period when three of the States have not been allowed by Congress to exercise any of the franchises of sovereign States, and when eight more, though nominally admitted, are still deprived of self-government, and are, at this moment, the subjects of military rule.

Above all, this amendment is sought to be ratified by Legislatures chosen by the people before this amendment had passed the Congress of the United States, and, therefore, not chosen as agents, who can safely, in their action, reflect the popular will in adopting or rejecting it.

Other objections on the score of policy and justice might be urged against this measure, but I forbear! I submit, therefore, the resolution, with the full assurance that you will receive it with that calm dignity and respect which every proposed amendment to the Constitution of the United States should always be received; that you will consider it with a deliberation which wisdom and its own magnitude alike exact; and that you will then act as the *honor*, *safety*, and *past renown* of Kentucky demand.

The present dark hour sternly requires of us all to see that we yield to no wild theory—that we attempt no rash experiment! History and experience both admonish us that a period of angry, passionate, political excitement is not a time to meddle with the limitations and checks of our fundamental law, placed there by the wisdom of our fathers as barriers against the frenzy of popular excesses.

Let us rather stand with stouter hearts than ever by the old charter of our rights!

Let us adhere to the obligations imposed by our respective representative trusts, to uphold and preserve that valued *instrument* in its

pristine vigor and spirit, solemnly impressed that, in despite of the efforts now seeking its overthrow, and the dark shadows which, for the present, obscure it, *that* can never perish which truth, patriotism, and duty alike bear up.

J. W. STEVENSON.

DEPARTMENT OF STATE,
WASHINGTON, Feb. 27, 1869.

To His Excellency, the Governor of the State of Kentucky, Frankfort, Kentucky:

SIR: I have the honor to transmit an attested copy of a resolution of Congress, proposing to the Legislatures of the several States a Fifteenth Article to the Constitution of the United States. The decisions of the several Legislatures upon the subject are required by law to be communicated to this Department. An acknowledgment of the receipt of this communication is requested by,

Your Excellency's
Most obedient servant,
WILL. H. SEWARD.

UNITED STATES OF AMERICA,
DEPARTMENT OF STATE.

To all whom these presents shall come, greeting:

I certify that annexed is a true copy of a concurrent resolution of Congress, entitled "A resolution proposing an amendment to the Constitution of the United States;" the original of which resolution, received to-day, is on file in this Department.

IN TESTIMONY WHEREOF, I, William H. Seward, Secretary of State of the United States, have hereto subscribed my name and caused the seal of the Department of State to be affixed. Done at the City of Washington, this twenty-seventh day of February A. D., 1869, and of the Independence of the United States of America the ninety-third.

L. S.

WILL. H. SEWARD.

[Concurrent Resolution received at Department of State, February 27, 1869.]

A RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled (two thirds of both Houses concurring), That the following Article be proposed to the Legisla-

tures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said Legislatures, shall be valid as part of the Constitution, namely:

ARTICLE XV.

SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

SCHUYLER COLFAX,
Speaker of the House of Representatives.
B. F. WADE,
Speaker of the Senate, pro tempore.

Attest:

EDWARD MCPHERSON,
Clerk of House of Representatives.
GEO. C. GORHAM,
Secretary of Senate, U. S.

Ordered, That said message be printed, and referred to the Committee on Federal Relations.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

1. A bill authorizing the trustees of the town of Bowling Green to grant coffee-house license.

By same—

2. A bill to amend the charter of the Louisville city railway.

By same—

3. A bill to increase the resources of the sinking fund of the city of Louisville.

By same—

4. A bill to amend the act to incorporate the Shawneetown and Madisonville railroad company.

By same—

5. A bill to repeal the charters of the Hope and Globe Insurance Companies.

By same—

6. A bill to authorize the Commissioners of the Sinking Fund to lease the turnpike road leading from Bowling Green to the Simpson county line.

By Mr. Bruner, from the Committee on Revised Statutes—

7. A bill to amend an act and repeal the charter and incorporate the town of Elizabethtown, approved February 26, 1863.

By Mr. Cooke, from the Committee on Banks—

8. A bill to incorporate the Deposit Bank of Lebanon.

By Mr. Martin, from the Committee on Public Buildings—

9. A bill to provide for the protection of the public buildings and grounds.

By Mr. Boyd, from the Committee on County Courts—

10. A bill in relation to the ferry at Springville, Greenup county.

By Mr. Vories, from the Committee on Agriculture and Manufactures—

11. A bill to amend the law in relation to the importation of Texas cattle in this Commonwealth.

By Mr. Chandler, from the same committee—

12. A bill to extend the provisions of an act, entitled "An act to regulate partnership fences in Clark county," to Montgomery county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 9th was referred to the Committee on Finance, and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, and 12th were ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said last named bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill for the benefit of Gilman Trafton.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury in favor of Gilman Trafton for the sum of seven hundred and twenty-five dollars, being in full for balance due said Trafton for services as engineer in running the boundary line between Kentucky and Tennessee, the said sum to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander,	A. H. Field,	I. T. Martin,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
A. K. Bradley,	Evan M. Garriott,	E. D. Standeford,
John G. Carlisle,	W. C. Halbert,	Philip Swigert,
Joseph H. Chandler,	O. P. Johnson,	H. Thompson,
John B. Clarke,	P. H. Leslie,	A. C. Vallandingham,
Lyttleton Cooke,	Henry C. Lilly,	W. L. Vories,
Wm. A. Dudley,	W. Lindsay,	W. J. Worthington—24.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson), Robert Boyd, John B. Bruner—3.

Resolved, That the title of said bill be as aforesaid.

The Senate took up for consideration a resolution from the House of Representatives, entitled

Resolution to purchase portrait of Thos. Jefferson.

Said resolution reads as follows, viz:

WHEREAS, It has come to the knowledge of the General Assembly that William N. Robb, of Scott county, Kentucky, is the owner of, and has in his possession, an original portrait of Thomas Jefferson, taken from life by the eminent American artist, Gilbert Charles Stuart, and that it is the only one of the kind now in existence, and that said Robb is willing to dispose of it at the price of *seven hundred dollars* to the State of Kentucky in order that it may be preserved in perpetual memory of that illustrious patriot and statesman—

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said portrait be purchased by the Governor for the State from said Robb at said price of *seven hundred dollars*, and that upon its delivery by him under said purchase to the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer in favor of said Robb for said sum, to be paid out of any money in the Treasury not otherwise appropriated, and that said portrait be carefully preserved in some suitable place in the Capitol.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. T. Martin,
Jos. M. Alexander,	Joseph Gardner,	E. D. Standeford,
John G. Carlisle,	W. C. Halbert,	A. C. Vallandingham,
Lyttleton Cooke,	Henry C. Lilly,	Philip Swigert—12.

Those who voted in the negative, were—

F. M. Allison,	O. P. Johnson,	H. Thompson,
Robert Boyd,	P. H. Leslie,	W. L. Vories,
A. K. Bradley,	W. Lindsay,	I. C. Winfrey,
John B. Bruner,	I. A. Spalding,	W. J. Worthington—13.
Jos. H. Chandler,		

The Senate took up for consideration a bill to re-enact an act to provide for a Geological and Mineralogical Survey of the State, approved 6th March, 1854,

Together with the amendment heretofore proposed by Mr. Vallandingham as a substitute for said bill.

Ordered, That said bill and proposed amendment be referred to the Committee on Finance, with instructions to report to-morrow, at 11 o'clock, A. M.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz:

An act in relation to the sale of ardent spirits in the town of Greenupsburg.

An act for the benefit of the city of Louisville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bruner, from the Committee on Revised Statutes, to whom had been referred a bill from the House of Representatives, entitled

An act to incorporate the Kentucky Land Company,

Reported the same, with the expression of opinion that said bill ought not to pass.

Mr. Cooke then moved to amend said bill as follows, viz:

Strike out the words "Kentucky Land Company," wherever they occur in the bill, and insert the words "Germania Land Company."

Which was adopted.

Ordered, That said bill be placed in the orders of the day.

Mr. Boyd, from the Committee on County Courts, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of S. J. Taylor, committee for Wm. Cox,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It appears that Wm. Cox was, by the judgment of the Butler circuit court, rendered in the year 1859, found to be an idiot, and had no estate except an interest in a small tract of land, which was subsequently sold, upon the application of S. J. Taylor, his committee, and brought at said sale about $200; and whereas, it appears that on the 1st of August, 1866, another inquest was held upon said Cox, and it was found that he was still an idiot, incapable of laboring for a support, and that he had been supported and maintained for six years, prior to said last finding, by, and out of the means of, his said committee; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and instructed to draw his warrant on the State Treasurer in favor of S. J. Taylor, for the sum of $150, for the support, by him, of said Wm. Cox, for six years preceding the 1st of August, 1865.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. T. Martin,
Joseph M. Alexander,	Joseph Gardner,	I. A. Spalding,
F. M. Allison,	Evan M. Garriott,	E. D. Standeford,
Robert Boyd,	W. C. Halbert,	Philip Swigert,
A. K. Bradley,	O. P. Johnson,	H. Thompson,
John B. Bruner,	P. H. Leslie,	A. C. Vallandingham,
Joseph H. Chandler,	Henry C. Lilly,	I. C. Winfrey—23.
Lyttleton Cooke,	W. Lindsay,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles were reported from the several committees to whom they had been referred, viz:

By Mr. Martin, from the Committee on Banks—

An act to amend the charter and increase the rights, privileges, and powers, of certain banks in this Commonwealth.

By Mr. Cooke, from the same committee—

An act incorporating the banking-house of J. & J. A. Witherspoon.

On motion said bills were laid on the table.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled

An act for the benefit of the county of Breckinridge.

With an amendment.

Which was taken up, twice read, and concurred in.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to allow Edward Air, clerk of the Campbell county court, further time to give official bond.

An act enlarging the powers of the trustees of the town of Edmonton, in Metcalfe county.

An act repealing an act, entitled "An act to regulate the jurisdiction of the Harrison quarterly court," approved February 18, 1868.

An act to amend the 844th section of the Civil Code of Practice.

An act to change the time of holding the quarterly courts in Knox county.

An act for the benefit of Gallatin county.

Resolution in relation to a final adjournment.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

An act to regulate the granting of coffee-house licenses in the city of Paris.

By same—

An act to amend the charter of the town of Loretto, in Marion county.

By same—

An act for the benefit of William M. Fulkerson.

By same—

An act to protect lands under inclosure and punish the unlawful entry on the same.

By same—

An act to punish the malicious cutting of hose.

By Mr. Bruner, from the Committee on Revised Statutes—

An act to incorporate the Versailles Mutual Insurance Company.

By same—

An act to incorporate the Springfield Mutual Insurance Company.

By same—

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown."

By same—

An act to incorporate Olive Branch Division, No. 21, Sons of Temperance, of Dayton, Kentucky.

By same—

An act to repeal an act, entitled "An act to prevent the sale of spirituous liquors within one mile of the town of St. Mary's, in Marion county."

By Mr. Bruner, from the Committee on the Sinking Fund—

An act for the benefit of the sinking fund commissioners of Hart county.

By Mr. Cooke, from the Committee on the Judiciary—

An act to authorize the city of Lexington to subscribe stock in the Maysville and Lexington railroad company, Northern Division.

By Mr. Cooke, from the Committee on Banks—

An act to incorporate the Warren Deposit Bank, at Bowling Green.

By same—

An act to incorporate the Deposit Bank of Hopkinsville.

By same—

An act to incorporate the North Middletown Deposit Bank.

By same—

An act to amend an act approved 9th March, 1867, entitled "An act to incorporate the Bourbon Bank."

By Mr. Martin, from the same committee—

An act to incorporate the Central Savings Bank, of the city of Louisville.

By same—

An act to amend an act, entitled "An act to amend and reduce into one all acts incorporating the Masonic Savings Institution."

By same—

An act to empower the trustees of the Princeton Seminary to sell and convey said property.

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

An act to amend the charter of the McLean County Agricultural and Mechanical Association.

By same—

An act to incorporate the Star Mining and Manufacturing Company.

By same—

An act to incorporate the Beargrass Beef and Pork Packing and Manufacturing Company.

By same—

An act to amend an act, entitled "An act to incorporate the Hopkins Mastodon Mining, Iron, and Manufacturing Company."

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Chandler, from the Committee on Agriculture and Manufactures, reported a bill appropriating money to the State Agricultural Society.

Mr. Bruner moved that said bill be referred to the Committee on Finance.

Mr. Chandler moved to amend the motion made by Mr. Bruner, instructing the committee to report said bill on to-morrow.

Pending the consideration of which, the hour of adjournment arrived,

And then the Senate adjourned.

THURSDAY, MARCH 11, 1869.

A message was received from the House of Representatives, announcing their concurrence in the amendments proposed by the Senate to bills and a resolution from the House of Representatives of the following titles, viz:

An act to repeal section 2 of an act, entitled "An act in relation to the county lines of Floyd and Lawrence and Johnson counties," approved March 1, 1860,

An act to incorporate the Brandenburg and Webster turnpike road company.

An act for the benefit of the Mt. Sterling and Levee turnpike road company.

An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties.

An act to incorporate the Metropolis and Southwestern railroad company.

An act for the benefit of John C. Howard, late sheriff of Harlan county.

Resolution to print Report of Regent of Kentucky University.

That they had passed bills from the Senate of the following titles, viz:

An act in relation to certain town lots in the town of Morganfield.

An act to provide for the advertisement of sheriff's and marshal's sales in the city of Louisville and Jefferson county.

An act to prohibit the sale or vending or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof.

An act to amend the charter of the Louisville City railway company.

An act to abolish the Board of Internal Improvement.

With an amendment to the last named bill.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act to amend sections 1, 5, and 6, of article 11, of chapter 28, of the Revised Statutes.

2. An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river.

3. An act to incorporate the Beaver Dam Baptist Church, in Ohio county.

4. An act to amend an act for the benefit of the Jeptha Christian Church, in Shelby county.

5. An act to amend the charter of the Kentucky Company.

6. An act authorizing the general council of the city of Louisville to purchase lands for a public park.

7. Resolution to appoint visitors to foreign prisons.

8. Resolution providing for publication of acts in pamphlet form.

Which bills and resolutions were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with, they were referred—the 1st to the Committee on Revised Statutes; the 2d and 8th to the Committee on Finance; the 3d and 4th to the Committee on Religion; the 5th and 6th to the Committee on the Judiciary, and the 7th to the Committee on the Penitentiary.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the trustees of the Methodist Episcopal Church, South, in Cynthiana, to sell and convey their church property and to reinvest the money;

An act to provide a public guardian in certain cases;

An act for the benefit of Robert E. Puryear;

An act to amend an act, entitled "An act permitting the sale of real estate at the door of the court-house in the city of Newport," approved February 6, 1858;

An act for the benefit of certain school districts in Barren and Allen counties;

An act to re-enact and amend the road law of Henderson, Union, and Taylor counties;

An act to incorporate the German Roman Catholic St. Joseph's Benevolent Society, of the city of Newport;

An act concerning the sale of liquors in district No. 4, in Monroe county;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Henry county;

An act to change the time of holding the court of claims in Meade county;

An act for the benefit of the Rockcastle county court;

An act to change the time of holding the quarterly courts in Gallatin county;

An act to authorize the presiding judge of the county of Metcalfe to sell land;

An act for the benefit of the Jackson county court;

An act to declare Buffalo creek, in Floyd county, a navigable stream;

An act to change the road laws in Jackson county;

An act for the benefit of Elliott county;

An act to establish a State road from Hopkinsville to Paducah, via Parkersburg;

An act for the benefit of school district No. 2, in Kenton county;

An act for the benefit of the town of Elizaville;

An act for the benefit of common school district No. 54, in Trigg county;

An act to incorporate Jefferson College, at Jeffersontown;

An act to incorporate the Flat Rock and Cardwell's Mill turnpike road company;

An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company," approved March 7, 1868;

An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company;"

An act to charter the Briensburg Library Association, in Marshall county;

An act to amend the charter of the Georgetown, Oxford, and Leesburg turnpike road;

An act to incorporate the Mayfield and Boydsville turnpike road company;

An act for the benefit of the Maysville and Lexington railroad company, Northern Division;

An act to amend the charter of the Henry, Oldham, and Jefferson turnpike road company;

An act to incorporate the Louisville Edge-tool Factory;

An act to amend an act, entitled "An act to authorize the election of a police judge in the town of Irvine," approved 30th March, 1861;

An act to incorporate the Paducah Boat Building and Dock Company;

An act to incorporate the Grier's Creek turnpike road company, in Woodford county;

An act to incorporate the Owingsville, Slate Furnace, Iron Ore Bank turnpike road company, in Bath county;

An act to incorporate the Harmony turnpike road company, in Owen county;

An act to incorporate the Owingsville and Ficklin Tan-yard turnpike road company, in Bath county;

An act to incorporate the Butler and Pribble's Cross-roads turnpike road company;

An act to incorporate the Mason and Fleming turnpike road company;

An act to incorporate the Germantown and North Fork turnpike road company, in Mason county;

An act to incorporate the Upper Blue Lick turnpike road company, in Mason county;

An act to incorporate the Washington and Lee's Woods turnpike road company, in Mason county;

An act to amend an act, entitled "An act to charter the Stanford Female Seminary;"

An act to incorporate the Stanford and Milledgeville turnpike road company;

An act to amend an act, entitled "An act to amend the charter of the town of Stanford," approved March 6th, 1868;

An act to amend an act incorporating the town of Lawrenceburg;

An act to amend an act to incorporate the Henderson Fair Company;

An act to incorporate Edmonton Chapter, No. 100, Royal Arch Masons, of Kentucky;

An act to charter the Hebron Academy Company, of Boone county;

An act for the benefit of the county of Warren;

An act to authorize the election of a police judge, town marshal, &c., in Prestonsville, Carroll county;

An act to amend an act, entitled "An act to establish a road leading from London, Laurel county, to Booneville, in Owsley county;"

An act for the benefit of the Carrollton and Eagle Creek turnpike road company;

An act incorporating the Colored Benevolent Society, of Hopkinsville;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act for the benefit of James Sudduth," approved February 25, 1848.

An act to amend section 457 of the Civil Code of Practice.

An act to authorize the county judge of Henderson county to appoint additional processioners for that county.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Green river and its tributaries, and other water-courses," approved February 26th, 1868.

An act for the benefit of John Dishman.

An act for the benefit of school district No. 29, in Clinton county

An act to amend an act to empower county courts to take stock in turnpike roads in this Commonwealth, approved March 9, 1868.

An act to repeal an act, entitled "An act to prevent the destruction of fish in Little river, in Trigg county," approved February 20, 1868.

An act for the benefit of Boyle county.

An act regulating and changing the times of holding the quarterly and county and magistrates' courts in the county of Greenup.

An act to fix the time of holding the courts of justices of the peace in Bourbon county.

An act to regulate the county levy of Shelby county.

An act for the benefit of Madison county, authorizing the county court to levy an additional tax.

An act to authorize the county court of Mason county to sell the poor-house property and reinvest the proceeds.

An act for the benefit of Ballard county.

An act for the benefit of the Johnson county court.

An act to authorize the assignment of executions in favor of the Commonwealth against sheriffs and their sureties.

An act to amend the charter of the town of Hustonville.

An act to incorporate the Howard's Mills and Owingsville turnpike road company.

An act to legalize the proceedings of the Bowling Green Building Company.

An act to create an additional civil district in Washington county.

An act legalizing the orders and levies of the Larue county court at the October term, 1868.

An act to amend the charter of the town of Hodgenville.

An act to amend an act, entitled "An act authorizing the citizens of Brandenburg to elect a police judge and marshal," approved January 28, 1854.

An act to create the office of treasurer in Muhlenburg county.

An act to change the Point district voting place, in Pulaski county.

An act to amend the charter of Owingsville, in Bath county.

An act to amend an act, entitled "An act to incorporate the town of Trenton," approved March 5th, 1868.

An act to prevent the destruction of fish in Clover creek, in Breckinridge county.

An act for the benefit of the trustees for the churches composing the Logan circuit of the M. E. Church, South.

An act declaring Station creek and Buck creek, &c., in Estill county, navigable streams.

An act to authorize McLean county to vote on the removal of the court-house in Calhoon.

An act to authorize the voters of Bourbon county to vote on a proposition to subscribe to the stock of certain railroads, and to provide for issuing bonds of said county to pay the same.

An act to amend the charter of the town of Mt. Olivet.

An act to legalize and make valid all summons and process, and the returns thereon issued and made returnable to the next term of the Lawrence circuit court, as if made returnable to the next May term of said court, and to legalize and make valid all proceedings thereunder.

An act to prohibit the sale of intoxicating liquors in Cave Spring Station, in Logan county.

An act to regulate the jurisdiction of justices of the peace in Carrsville civil district, in Livingston county.

An act to amend the act, approved February, 1866, entitled "An act to amend and reduce into one the several acts in relation to the town of Greenupsburg," and also of the several acts amendatory thereof.

An act to amend the charter of the city of Henderson.

An act to incorporate the Cane Run and King's Mill turnpike road company, in Mercer county.

An act to facilitate the finding of records in Hart county.

An act for the benefit of Hardin county.

An act to authorize the people of Henry county to vote a tax for the purpose of aiding companies in the building of turnpike roads in said county.

The Senate resumed the consideration of the unfinished report of yesterday from the Committee on Agriculture and Manufactures, of a bill appropriating money to the State Agricultural Society.

The motion of Mr. Chandler to amend the motion made by Mr. Bruner to commit to the Committee on Finance was adopted.

The motion to commit was then negatived.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of five thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the president, directors, and company, of the Kentucy State Agricultural Society, and that the president of said society be authorized to draw his warrant on the Treasurer of Kentucky for that amount; two thousand five hundred dollars to be used by said society in collecting material of interest to agriculturalists of the State, and publishing the same in a volume to be circulated among them; and two thousand five hundred dollars to be used by said society in the manner it may deem best calculated to promote the interests of agriculture.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	H. Thompson,
John G. Carlisle,	W. C. Halbert,	A. C. Vallandingham,
Jos. H. Chandler,	I. T. Martin,	W. L. Vories,
John B. Clarke,	E. D. Standeford,	Ben. J. Webb—14.
Joseph Gardner,	Philip Swigert,	

Those who voted in the negative, were—

F. M. Allison,	John B. Bruner,	P. H. Leslie,
R. T. Baker,	Tho. P. Cardwell,	I. C. Winfrey,
Robert Boyd,	A. H. Field,	C. T. Worthington,
A. K. Bradley,	O. P. Johnson,	W. J. Worthington—12.

So said bill was rejected.

The Senate took up for consideration a bill to incorporate the Lexington and Harrodsburg and Tennessee railroad company.

Said bill proposed to construct a railroad from Lexington, by way of Harrodsburg and Bowling Green, to the Tennessee line.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	John B. Clarke,	W. H. Payne—5.
John G. Carlisle,	O. P. Johnson,	

Those who voted in the negative, were—

Robert Boyd,	Evan M. Garriott,	Harrison Thompson,
A. K. Bradley,	W. C. Halbert,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
Lyttleton Cooke,	Henry C. Lilly,	Ben. J. Webb,
A. D. Cosby,	E. D. Standeford,	I. C. Winfrey,
A. H. Field,	Philip Swigert,	C. T. Worthington—18.

Mr. Leslie, from the Committee on Finance, to whom was referred a bill to re-enact an act to provide for a Geological and Mineralogical Survey of the State, approved 6th March, 1854,

Together with the amendment heretofore proposed by Mr Vallandigham,

Reported the same, with the expression of opinion that neither ought to pass.

And the question being taken on concurring in the report of the committee, it was decided in the affirmative.

The Senate took up for consideration a bill to regulate the fees of circuit court clerks in certain cases,

Together with the amendment proposed by the Committee on the Judiciary.

The proposed amendment, as a substitute for said bill, reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the clerks of the circuit and criminal courts of this Commonwealth, where not otherwise provided by law, shall be allowed the following fees in felony cases, viz: For filing each indictment, 10 cents; for docketing an indictment at each term, 10 cents; for issuing each bench warrant, 25 cents; for entering each order of court, 25 cents; for entering each judgment, 25 cents; for each copy thereof, 25 cents; for taking a recognizance in court, 25 cents; for each order taking recognizance of witnesses, 25 cents; for taking a bail bond, 50 cents; for each warrant of arrest for a witness or witnesses, 25 cents; for issuing each subpœna for witnesses, 25 cents: *Provided*, That all the witnesses living in the same county, ordered to be summoned at the same time, shall be included in one subpœna, and the fee therefor shall not be increased; for each trial by jury, including all the services incident thereto, 75 cents; for entering the attendance of a witness, and giving a certificate thereof, 20 cents; for filing papers in each case, 20 cents; for copying a record, for every twenty words, 2 cents.

§ 2. That, at the end of each term of the court, they shall make out their fee bills against the Commonwealth, which shall be sworn to by them, examined by the Commonwealth's Attorney, and, when approved by the court, shall be allowed and ordered to be copied and certified to the Auditor for payment, for which the Auditor shall draw his warrant upon the Treasurer.

§ 3. This act shall take effect from and after its passage.

Mr. Swigert moved to amend the bill by adding to the third section the following words: "And be in force for one year only."

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	W. H. Payne,
F. M. Allison,	A. D. Cosby,	I. A. Spalding,
R. T. Baker,	A. H. Field,	E. D. Standeford,
Robert Boyd,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	W. C. Halbert,	H. Thompson,
John G. Carlisle,	O. P. Johnson,	Oscar Turner,
Joseph H. Chandler,	Henry C. Lilly,	A. C. Vallandingham,
John B. Clarke,	I. T. Martin,	Ben. J. Webb—24.

Those who voted in the negative, were—

John B. Bruner,	P. H. Leslie,	C. T. Worthington,
Wm. A. Dudley,	I. C. Winfrey,	W. J. Worthington—6.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted resolutions, entitled

Resolutions in regard to the proposed amendment to the Constitution of the United States.

Mr. Carlisle moved to commit said resolutions to the Committee on Federal Relations, with instructions to report thereon on to-morrow, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vallandingham and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
R. T. Baker,	W. C. Halbert,	E. D. Standeford,
Robert Boyd,	O. P. Johnson,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	W. L. Vories,
John G. Carlisle,	W. Lindsay,	Ben. J. Webb,
John B. Clarke,	I. T. Martin,	I. C. Winfrey,
Lyttleton Cooke,	W. H. Payne,	C. T. Worthington—25.
A. D. Cosby,		

Those who voted in the negative, were—

A. K. Bradley,	A. C. Vallandingham,	Oscar Turner—4.
Evan M. Garriott,		

Mr. Cosby moved to reconsider the vote by which the Senate had rejected a bill to incorporate the Lexington and Harrodsburg and Tennessee railroad company.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Payne and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. H. Payne,
F. M. Allison,	Wm. A. Dudley,	I. A. Spalding,
R. T. Baker,	O. P. Johnson,	H. Thompson,
Jno. G. Carlisle,	I. T. Martin,	Oscar Turner—13.
John B. Clarke,		

Those who voted in the negative, were—

Robert Boyd,	W. C. Halbert,	A. C. Vallandingham,
A. K. Bradley,	P. H. Leslie,	W. L. Vories,
John B. Bruner,	Henry C. Lilly,	Ben. J. Webb,
Lyttleton Cooke,	E. D. Standeford,	I. C. Winfrey,

A. H. Field, Philip Swigert, C. T. Worthington—16.
Joseph Gardner,

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Widows and Orphans' Fund Life Insurance Company, of Nashville, Tennessee.

An act to amend two acts in regard to Vanceburg, in Lewis county.

An act to establish a court of common pleas for the county of Warren.

Resolution in relation to the cities of Hickman and Columbus.

Resolution in relation to Gen. George Rogers Clarke.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to establish a ferry opposite Caledonia, Illinois.

An act to amend the charter of the Cairo Junction railroad company.

An act for the benefit of Samuel Ellis, of Lewis county.

With an amendment to the last named bill.

Which was taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz:

1. An act to change the boundary of Meade county.

2. An act for the benefit of Wm. P. Johnson, late sheriff of Pike county, and his sureties.

3. An act submitting to the people of Kentucky the levy of a tax to aid in the construction of railroads and river improvements.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on County Courts; the 2d to the Committee on Finance, and the 3d to the Committee on the Judiciary.

Mr. Spalding moved to reconsider the vote by which the Senate on yesterday refused to concur in the resolution from the House of Representatives in relation to the portrait of Thos. Jefferson.

Which motion was only entered.

Leave of indefinite absence was granted to Mr. Boyd after to-morrow.

Mr. Leslie, from the Committee on Finance, to whom was referred a bill to provide for the protection of the public buildings and grounds,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one dollar per day be allowed and appropriated to the State Librarian, to enable him to hire a suitable porter to assist in protecting and keeping clean the public buildings and grounds, and to pay postage on communications connected with the duties of his office; said sum to be drawn out of the Treasury monthly by the Librarian, in the same manner that public officers now draw their salaries.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. A. Spalding,
F. M. Allison,	A. H. Field,	E. D Standeford,
R. T. Baker,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	W. C. Halbert,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Jos. H. Chandler,	Henry C. Lilly,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb—23.
Lyttleton Cooke,	W. H. Payne,	

Those who voted in the negative, were—

Robert Boyd,	John B. Bruner,	O. P. Johnson—3.

Mr. Leslie, from the Committee on Finance, reported the following bills, viz:

A bill for the benefit of E. R. Price, sheriff of Todd county.

A bill for the benefit of Maria Moore, of Laurel county.

A bill for the benefit of school district No. 19, in Hardin county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of the sureties of W. J. Brewer, late sheriff of Henry county.

An act for the benefit of Thomas Cook, late sheriff of Clay county;

An act for the benefit of Richard Herndon, of Knox county;

An act for the benefit of H. B. Howard and others, of Harlan county;

An act for the benefit of Joseph Hickerson, of Fleming county;

An act for the benefit of R. H. Shanklin;

An act for the benefit of W. H. Fortson, of McCracken county;

An act to provide for paying county court clerks for copying delinquent lists;

An act to permit the vending or distribution of bibles, hymn-books, prayer-books, and other religious publications, without license;

With an amendment to the last named bill.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a resolution from the House of Representatives, entitled

Resolution providing for publication of acts in pamphlet form,

Reported the same without amendment.

Ordered, That said resolutions be read a third time.

Said resolutions were read a third time as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That, as soon as practicable after the adjournment of this General Assembly, the Public Printer is directed to print, in pamphlet form, all the general laws and joint resolutions passed at the present adjourned session; and that he send one copy thereof, post-paid, to each member of the General Assembly, and the officers thereof, to each judge of the court of appeals, each circuit, common pleas, or criminal judge, to the chancellor of Louisville, to each county judge, and to the clerks of each of said courts, to each Commonwealth's Attorney and County Attorney, also to the Governor, Secretary of State, Attorney General, Auditor, Treasurer, Superintendent of Public Instruction, President of the Board of Internal Improvement, Register of the Land Office, and Adjutant and Quarter-Master Generals.

Resolved, That the Auditor draw his warrant in favor of the Public Printer on the Treasurer for a sum sufficient to pay said postage.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. A. Spalding,
F. M. Allison,	A. H. Field,	E. D. Standeford,
R. T. Baker,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	Evan M. Garriott,	H. Thompson,
John B. Bruner,	W. C. Halbert,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	A. C. Vallandingham,
John G. Carlisle,	P. H. Leslie,	W. L. Vories,
Joseph H. Chandler,	Henry C. Lilly,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey,
A. D. Cosby,	I. T. Martin,	C. T. Worthington—30.

In the negative—none.

Resolved, That the title of said resolutions be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of Zephaniah Meek, of Boyd county;

An act for the benefit of W. E. Palmer, of Mercer county;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Eliza J. Speed, Lucy G. Speed, and others,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It has been made to appear that the persons named in the title of this act have paid taxes upon their respective residuary estates, for the years 1865, 1866, 1867, and 1868, then being included in the residuary estate stock of the Louisville turnpike company, as follows: Lucy G. Speed, forty-five dollars; Mary L. Speed, thirty-seven dollars and fifty cents; Eliza J. Speed, sixty-three dollars; L. F. Breckinridge, thirty-nine dollars; Henry Pirtle, one hundred and twenty dollars; James W. Henning, forty-eight dollars; Henning & Speed, seventy-five dollars, and James Speed, fifty dollars; and whereas, under the act of 1864, said company has paid, and will be

compelled to pay, taxes upon the dividends of said company, thereby imposing a double tax upon said parties; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sums respectively paid by said parties on their stock in the said Louisville turnpike company for the years aforesaid, be refunded to them; and the Auditor is hereby directed to draw his warrant on the Treasurer for said amounts when called for by the proper parties.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
R. T. Baker,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	A. C. Vallandingham,
John G. Carlisle,	P. H. Leslie,	W. L. Vories,
Jos. H. Chandler,	Henry C. Lilly,	Ben. J. Webb,
John B. Clarke,	W. Lindsay,	I. C. Winfrey,
Lyttleton Cooke,	I. T. Martin,	C. T. Worthington,
Wm. A. Dudley,	W. H. Payne,	W. J. Worthington—24.

Those who voted in the negative, were—

F. M. Allison,	John B. Bruner,	O. P. Johnson—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of J. W. Atkins,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	E. D. Standeford,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
R. T. Baker,	W. C. Halbert,	Harrison Thompson,
Robert Boyd,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
Joseph H. Chandler,	W. Lindsay,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb,

Lyttleton Cooke,	W. H Payne,	I. C. Winfrey,
Wm. A. Dudley,	I. A. Spalding,	C. T. Worthington—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Culvin Sanders and John W. Leathers,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant on the Treasurer, in favor of Culvin Sanders, for the sum of five hundred and seventy-five dollars ($575), also in favor of J. W. Leathers for five hundred and forty five dollars ($545), to be paid out of any money not otherwise appropriated. The above amounts are paid said parties for services rendered in hunting up property on Licking river belonging to the Commonwealth of Kentucky.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. A. Spalding,
R. T. Baker,	A. H. Field,	E. D. Standeford,
Tho. P. Cardwell,	Joseph Gardner,	Philip Swigert,
Jno. G. Carlisle,	Evan M. Garriott,	W. L. Vories,
Joseph H. Chandler,	W. C. Halbert,	Ben. J. Webb,
John B. Clarke,	P. H. Leslie,	I. C. Winfrey,
Lyttleton Cooke,	Henry C. Lilly,	C. T. Worthington,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—24.

Those who voted in the negative, were—

F. M. Allison,	O. P. Johnson,	W. H. Payne—5.
John B. Bruner,	A. C. Vallandingham,	

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred the petition of sundry citizens of Daviess county, asking that F. M. Austin might be permitted to sell liquor without license, asked to be discharged from the further consideration of the petition.

Which was granted.

And then the Senate adjourned.

FRIDAY, MARCH 12, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to amend the revenue laws.

An act for the benefit of Thos. G. Poor, trustee of the jury fund for Hickman county.

An act for the benefit of Jas. W. Linden, sheriff of Breathitt county.

An act for the benefit of Wm. Wilson, late sheriff of Union county.

An act for the benefit of Tho. L. Floyd, late sheriff of Spencer county.

An act for the relief of the sureties of Jas. Bartley, late sheriff of Monroe county.

An act to repeal section 2 of an act to amend an act to charter the Columbia and Burksville turnpike road company.

An act for the benefit of A. C. Cox, of Green county.

An act for the benefit of Robt. Riddle, jr.

An act to authorize the Auditor to employ counsel for the State.

An act for the benefit of Wm. O. Newman, &c.

An act to amend chapter 48, article 2, section 2, and chapter 11, article 6, section 8, of the Revised Statutes.

An act to extend the boundary of the town of Lancaster, in Garrard county.

An act to amend an act, entitled "An act to incorporate the Lewis and Mason county turnpike road company."

An act for the benefit of C. S. Green.

An act for the benefit of Mrs. Julia Brann, of Webster county.

An act for the benefit of Wm. J. Ashcraft, &c.

An act to revive and amend an act for the benefit of G. J. Cundiff, surety of J. B. McWhorter, approved February 5, 1867.

An act for the benefit of T. M. Conditt, of McLean county.

An act for the benefit of A. G. Coffey, John Johnson, and others.

An act to increase the resources of the sinking fund of the city of Louisville.

An act for the benefit of Maria Moore, of Larue county.

An act for the benefit of C. M. Humston, of Henry county.

With an amendment to the last named bill.

That they had passed bills and adopted a resolution of the following titles, viz:

1. An act to amend the laws relating to the Wilderness turnpike road, in Knox connty.

2. An act for the benefit of turnpike road companies in this Commonwealth in which the State owns stock in the counties of Kenton, Shelby, and Jefferson.

3. An act to regulate voting for officers to manage turnpike roads in this Commonwealth.

4. An act authorizing the Governor to appoint an engineer to survey and examine certain portions of Cumberland river and make report.

5. An act to provide for the building of a new court-house and jail in Logan county.

6. An act authorizing circuit and chancery courts to appoint commissioners to relinquish the dower of married women when confirmed lunatics or insane.

7. An act to amend the charter of the city of Ludlow.

8. Resolution in relation to a geological survey.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with, they were referred—the 1st, 2d, 3d, and 4th to the Committee on Internal Improvement; the 5th to the Committee on Finance; the 6th and 7th to the Committee on the Judiciary, and the 8th to the Committee on Geological Survey.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Evening Star Temple of Honor, Boyd county.

An act to amend an act, entitled "An act to incorporate the Wyoming and Bald Eagle turnpike road, in Bath county," approved March 9, 1867.

An act to incorporate the Woodford Hotel Company.

An act to incorporate the German Bank and Insurance Company, of Louisville.

An act to incorporate the Flat Fork and Bethel Branch turnpike road company.

An act to amend the charter of the town of Marion, in Crittenden county.

An act to amend chapter 16, article 6, section 3, of the Revised Statutes.

An act to amend an act to incorporate the Licking River Lumber and Mining Company.

An act supplemental to an act to improve the navigation of Licking river.

An act for the benefit of Joseph L. McCarty, late sheriff of Whitley county, and his sureties.

An act in relation to State roads in Marshall and Crittenden counties.

An act for the benefit of the town of Fairview.

An act to authorize the Louisville and Nashville railroad company to extend its Bardstown Branch.

An act to amend the charter of the Bedford and Milton turnpike road company.

An act to amend the charter of the Great Crossings and Stamping Ground turnpike road.

An act to establish the county of Menifee.

An act to amend an act, entitled "An act to authorize the Campbell county court to make subscriptions to the capital stock of turnpike road companies located within the limits of said county."

An act to authorize the Attorney General to bring suit against Wm. T. Samuels, late Auditor of the State.

An act for the benefit of James Bartley, late sheriff of Monroe county, and his securities.

An act concerning Plank Road street, in the city of Henderson.

An act for the benefit of Robert McAlister, late sheriff of Greenup county.

An act for the benefit of J. M. Lewis, of Boyle county.

An act for the benefit of the county court of Edmonson county.

An act to change the time of holding the Todd quarterly court.

An act to exempt certain counties and districts from tax on seals in certain cases.

An act to amend an act, entitled "An act to incorporate the town of Midway, in Woodford county."

An act to amend the charter of the city of Ludlow.

An act for the benefit of the Campbell county court.

An act to amend an act incorporating the Williamstown Academy, approved March 1st, 1860.

An act to incorporate the Cabin Creek, Springdale, and Maysville turnpike road company.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Adam C. Fox;

An act for the benefit of Greenup county;

An act for the benefit of W. F. Harrison;

An act authorizing the sale of the Poplar Level Church property, and the reinvestment of the proceeds arising therefrom;

An act for the benefit of the county court of Breckinridge county;

An act for the benefit of John Seaton, of Greenup county;

An act for the benefit of F. C. Trice;

An act to authorize the trustees of the town of Columbia to appropriate money to build a school-house in said town for common school purposes;

An act to prohibit the sale or vending or giving of vinous, spirituous, or malt liquors in the town of Irvine, or within two miles of the limits thereof;

An act for the benefit of Nelson county;

An act to amend the charter of the Louisville City railway company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Cloverport and Rock Lick turnpike road company;

An act to define the line between magistrates' districts Nos. 1 and 5, in Magoffin county;

An act to incorporate the Maxville, Willisburg, and Louisville turnpike road company;

An act for the benefit of Rebecca Timmons, widow of John Timmons, deceased;

An act for the benefit of the mechanics of the counties of Butler and Edmonson;

An act to incorporate the Hopkinsville Hotel Company;

An act authorizing the trustees of South Carrollton, in Muhlenburg county, to open and close streets and alleys in said town, with the consent of the property-owners;

An act to incorporate Forest Lodge, No. 308, Free and Accepted Masons;

An act to amend the charter of the town of Russellville;

An act for the benefit of the Harrodsburg and Cornishville turnpike road company;

An act to establish an additional voting precinct in the county of Jefferson;

An act to incorporate the Ladies' Hebrew Benevolent Society;

An act for the benefit of the German Evangelical Church of Louisville;

An act, entitled "An act to amend the charter of the town of Slaughtersville;"

An act to charter the Central Express Company;

An act to amend the charter of the town of Sonora;

An act to charter the Calhoon Mills Company;

An act to incorporate the Lebanon and Raywick turnpike road company;

An act to incorporate the Covington Social Club;

An act to incorporate the town of Greencastle;

An act to incorporate the Montgomery Masonic Temple Company;

An act to amend an act, entitled "An act providing for the subscription of stock in railroad companies by the county of Mason;"

An act to amend an act, entitled "An act to incorporate the Versailles and McCracken Mill turnpike company;"

An act for the benefit of Dovin Hendron;

An act to amend the charter of the town of Danville;

An act to incorporate the Cloverport Printing Company;

An act to incorporate Paradise Lodge, No. 255, Independent Order of Odd Fellows;

An act to incorporate the Champion Coal and Towboat Company;

An act to incorporate the Plain City Woolen Manufacturing Company, at Paducah;

An act to incorporate the Highland Lodge, No. 71, Independent Order of Odd Fellows, in Uniontown;

An act to incorporate the town of Bremen, in Muhlenburg county;

An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company;"

An act to incorporate the Irvine and Miller's Creek Turnpike and Bridge Company;

An act to charter the Morning View Branch turnpike road company, in Kenton county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Owensboro and Russellville railroad company,'" approved 27th February, 1867;

An act to incorporate Christian Church, at Rush Branch, in Lincoln county;

An act to revive and amend the charter of the Stanford and Mason's Gap turnpike road company;

An act for the benefit of the town of Franklin;

An act to change the line of the Springfield civil district, in Washington county;

An act to prohibit the sale of ardent spirits in Knox county;

An act to enlarge the voting precincts of Mt. Sterling;

An act to enlarge the boundary of voting precinct No. 6, in Crittenden county;

An act to change the place of voting in precinct No. 6, in Crittenden county;

An act for the benefit of George W. Belcher and Wm. Harrold, of Breathitt county;

An act for the benefit of the city court clerk of Paducah;

An act to amend the charter of the city of Henderson;

An act to amend an act to appropriate money to improve the North Fork of the Kentucky river;

An act to amend the charter of the city of Louisville;

An act to amend an act, entitled "An act to incorporate the Mutual Benevolent Police Union, No. 1, of Kentucky;"

An act to incorporate the State Fire and Marine Insurance Company, of Kentucky;

An act to incorporate the Flemingsburg and Millwood turnpike road company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Leslie, from the Committee on Finance, reported a bill concerning public books, and providing for their supply to destitute counties.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

This bill provides for supplying the public books to those counties in which the books have been destroyed or lost.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Jos. M. Alexander,	A. H. Field,	Philip Swigert,
R. T. Baker,	Joseph Gardner,	Harrison Thompson,
A. K. Bradley,	Evan M. Garriott,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
John G. Carlisle,	Henry C. Lilly,	Ben. J. Webb,
Jos. H. Chandler,	I. T. Martin,	I. C. Winfrey,
John B. Clarke,	W. H. Payne,	C. T. Worthington,
Lyttleton Cooke,	I. A. Spalding,	W. J. Worthington—31.
A. D. Cosby,		

Those who voted in the negative, were—

F. M. Allison, W. Lindsay—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Floyd county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State is hereby empowered and directed to furnish the county court and circuit court clerk's offices of Floyd county with such books as by law they are entitled to according to the provisions of chapter 61 of the Revised Statutes, and the several acts amending the same and supplementary thereto, and which books are missing from their offices, having been destroyed by armed soldiers, when a list or catalogue, signed by the clerk or clerks of said court, shall have been filed in the office of Secretary of State, showing what books are missing from the offices in said county.

An act to charter the Morning View Branch turnpike road company, in Kenton county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Owensboro and Russellville railroad company,'" approved 27th February, 1867;

An act to incorporate Christian Church, at Rush Branch, in Lincoln county;

An act to revive and amend the charter of the Stanford and Mason's Gap turnpike road company;

An act for the benefit of the town of Franklin;

An act to change the line of the Springfield civil district, in Washington county;

An act to prohibit the sale of ardent spirits in Knox county;

An act to enlarge the voting precincts of Mt. Sterling;

An act to enlarge the boundary of voting precinct No. 6, in Crittenden county;

An act to change the place of voting in precinct No. 6, in Crittenden county;

An act for the benefit of George W. Belcher and Wm. Harrold, of Breathitt county;

An act for the benefit of the city court clerk of Paducah;

An act to amend the charter of the city of Henderson;

An act to amend an act to appropriate money to improve the North Fork of the Kentucky river;

An act to amend the charter of the city of Louisville;

An act to amend an act, entitled "An act to incorporate the Mutual Benevolent Police Union, No. 1, of Kentucky;"

An act to incorporate the State Fire and Marine Insurance Company, of Kentucky;

An act to incorporate the Flemingsburg and Millwood turnpike road company;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

Mr. Leslie, from the Committee on Finance, reported a bill concerning public books, and providing for their supply to destitute counties.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

This bill provides for supplying the public books to those counties in which the books have been destroyed or lost.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Jos. M. Alexander,	A. H. Field,	Philip Swigert,
R. T. Baker,	Joseph Gardner,	Harrison Thompson,
A. K. Bradley,	Evan M. Garriott,	Oscar Turner,
John B. Bruner,	O. P. Johnson,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
John G. Carlisle,	Henry C. Lilly,	Ben. J. Webb,
Jos. H. Chandler,	I. T. Martin,	I. C. Winfrey,
John B. Clarke,	W. H. Payne,	C. T. Worthington,
Lyttleton Cooke,	I. A. Spalding,	W. J. Worthington—31.
A. D. Cosby,		

Those who voted in the negative, were—

F. M. Allison, W. Lindsay—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Floyd county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State is hereby empowered and directed to furnish the county court and circuit court clerk's offices of Floyd county with such books as by law they are entitled to according to the provisions of chapter 61 of the Revised Statutes, and the several acts amending the same and supplementary thereto, and which books are missing from their offices, having been destroyed by armed soldiers, when a list or catalogue, signed by the clerk or clerks of said court, shall have been filed in the office of Secretary of State, showing what books are missing from the offices in said county.

§ 2. If necessary, the Secretary of State shall purchase the said books and report the same to the Auditor, who shall draw his warrant upon the Treasurer for payment of same, and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	W. H Payne,
Jos. M. Alexander,	A. H. Field,	I. A. Spalding,
F. M. Allison,	Joseph Gardner,	Philip Swigert,
John B. Bruner,	Evan M. Garriott,	A. C. Vallandingham,
Tho. P. Cardwell,	O. P. Johnson,	W. L. Vories,
John G. Carlisle,	P. H. Leslie,	Ben. J. Webb,
John B. Clarke,	W. Lindsay,	I. C. Winfrey,
Lyttleton Cooke,	I. T. Martin,	C. T. Worthington—25.
A. D. Cosby,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Johnson county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Secretary of State is hereby empowered and directed to furnish the county court and circuit court clerk's offices of Johnson county with such books as by law they are entitled to according to the provisions of chapter 61 of the Revised Statutes, and the several acts amending the same and supplementary thereto, which books are missing from their offices, having been destroyed by armed soldiers, when a list or catalogue, signed by the clerk or clerks of said courts, shall have been filed in the office of the Secretary of State, showing what books are missing from the said offices in said county.

§ 2. If necessary, the Secretary of State shall purchase the said books and report the cost of same to the Auditor, who shall draw his warrant upon the Treasurer for payment of same, and the Treasurer shall pay the same out of any money in the Treasury not otherwise appropriated.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jos. M. Alexander,	Evan M. Garriott,	Philip Swigert,
F. M. Allison,	O. P. Johnson,	H. Thompson,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
John G. Carlisle,	W. Lindsay,	Ben. J. Webb,
John B. Clark,	I. T. Martin,	I. C. Winfrey,
Lyttleton Cooke,	W. H. Payne,	C. T. Worthington,
Wm. A. Dudley,	I. A. Spalding,	W. J. Worthington—25.
A. H. Field,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act for the benefit of Jeff. C. Asher, justice of the peace in Caldwell county;

An act to fix the time of holding the summer term of certain circuit courts in the seventh judicial district;

An act to provide for the sale of the stock of the State of Kentucky in the Louisville and Salt River turnpike road company;

An act for the benefit of Wm. Craddock, former sheriff of Hart county;

An act to prevent the clerk of any circuit, common pleas, quarterly, or county court of this Commonwealth, from practicing law in the county where he resides;

Reported the same, with an amendment as a substitute for said last named bill.

Which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, reported a bill to prohibit the sale of spirituous liquors in the town of Bremen, Muhlenburg county.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Payne presented the petition of sundry citizens of Warren county, asking the passage of an act authorizing the county court of Warren to grant tavern license for the accommodation of the colored population.

Mr. Vories presented the petition of sundry citizens of Pleasureville, Henry county, asking that the jurisdiction of justices of the peace should be increased to one hundred dollars.

Which petitions were received, the reading dispensed with, and referred to the Committee on County Courts.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had refused to concur in the adoption of a resolution from the House of Representatives, entitled

Resolution to purchase portrait of Thos. Jefferson.

And the question being taken thereon, it was decided in the affirmative.

[*For resolution—see this Journal, page* 591.]

The yeas and nays being required thereon by Messrs. Leslie and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	W. H. Payne,
Jos. M. Alexander,	A. D. Cosby,	I. A. Spalding,
F. M. Allison,	Wm. A. Dudley,	E. D. Standeford,
R. T. Baker,	A. H. Field,	Philip Swigert,
Tho. P. Cardwell,	Joseph Gardner,	Harrison Thompson,
John G. Carlisle,	Henry C. Lilly,	Oscar Turner,
John B. Clarke,	I. T. Martin,	W. J. Worthington—21.

Those who voted in the negative, were—

Robert Boyd,	O. P. Johnson,	W. L. Vories,
A. K. Bradley,	P. H. Leslie,	I. C. Winfrey,
John B. Bruner,	W. Lindsay.	C. T. Worthington—11.
Jos. H. Chandler,	A. C. Vallandingham,	

Mr. Carlisle then moved to amend the resolution as follows, viz:

Add to the resolution the following proviso, viz:

Provided, That no part of the money hereby appropriated shall be paid until after the expiration of six months from and after the adoption of this resolution.

Which was adopted.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	I. A. Spalding,
R. T. Baker,	Evan M. Garriott,	E. D. Standeford,
John G. Carlisle,	Henry C. Lilly,	Philip Swigert,
Lyttleton Cooke,	I. T. Martin,	A. C. Vallandingham,
Wm. A. Dudley,	W. H. Payne,	Oscar Turner—16.
A. H. Field,		

Those who voted in the negative, were—

Robert Boyd,	O. P. Johnson,	W. L. Vories,
A. K. Bradley,	P. H. Leslie,	I. C. Winfrey,
John B. Bruner,	W. Lindsay,	C. T. Worthington—9.

Mr. Clarke, from the Committee on Federal Relations, to whom had been referred resolutions from the House of Representatives, entitled

Resolutions in regard to the proposed amendment to the Constitution of the United States,

Reported the same, with the expression of opinion that said resolutions should be concurred in.

Said resolutions read as follows, viz:

WHEREAS, The Congress of the United States did, at the last session of the Fortieth Congress, propose to the Legislatures of the several States, for their ratification, the following amendment to the Constitution of the United States, to-wit:

"ARTICLE XV.

"SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

And whereas, the same has been officially laid before the Legislature of Kentucky for its consideration and action; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That said proposed amendment to the Constitution of the United States be not ratified, and that the proposition to amend the Constitution of the United States, as aforesaid, be, and the same is hereby, rejected.

2. *Resolved*, That the Governor be requested to forward the foregoing preamble and resolution to the President and Secretary of State of the United States, and also to the President of the Senate, and the Speaker of the House of Representatives, of the Congress of the United States.

Mr. Lilly, from the Committee on Federal Relations, made a minority report.

Which report reads as follows, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That said proposed amendment to the Constitution of the United States be not ratified, and that the proposition to amend the Constitution of the United States as aforesaid, be, and the same is hereby, rejected.

2. *Resolved*, That the Governor be requested to forward the foregoing preamble and resolution to the President and Secretary of State of the United States, and also to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States.

Mr. Lilly, from the same Committee, made the following minority report, which was ordered to be printed, viz:

The undersigned, one of the Committee on Federal Relations, to whom was referred the message of the Governor, inclosing the proposed Fifteenth Article of amendment, submitted by the Fortieth Congress to the several States for their ratification or rejection, is unable to agree with a majority of the Committee, or to concur with them in their report, for the reasons herein expressed, and for others which he has not time to include in this report.

The majority report that the said Fifteenth Amendment be not ratified, &c.

This report, in the opinion of the undersigned, ought not to be adopted:

1st. Because about two hundred and fifty thousand, or one fifth of the population of this State, are denied the right of representation or the elective franchise, or a voice in choosing their rulers, and, in fact, all political and most of their civil rights; and if this condition of things continues until the year 1870, when the next census will be taken, then the State will be reduced in her representation to *seven* Representatives in Congress, instead of *nine*, the present number. Kentucky cannot afford to lose this power in Congress, or in the Electoral College. Not only will this rule apply to Kentucky, but it will apply with equal force to other States. From the nature of things, the most of the colored population will remain in the late slave States; and if this or some similar amendment is not adopted the States having such population will have less power in the Congress of the United States, and in the choice of President and Vice President.

2d. The experience of the past is sufficient to convince all candid and impartial men that the colored citizens will never be allowed to

enjoy their civil rights so long as the right to vote is denied them. In proof and support of this statement, I need only refer to the recent action of this Legislature in rejecting, by an overwhelming majority, any change in our laws admitting colored citizens to testify in our courts of justice. I need only refer your honorable body to the fact that the colored citizens are now required to pay taxes and render military service, and bear all civil burthens as other citizens; to pay the same county levy that white men do—the proceeds of which are used to defray all county expenses, including the support of white paupers; and, in addition thereto, every male colored citizen, over eighteen years of age, is required to pay a special poll-tax of two dollars to support colored paupers, and if there is a surplus, then to educate their children; but it seems there is always found a way to consume the entire amount, leaving nothing for the purpose of education. They are also required to pay a tax on all their taxable property into our Common School Fund, and are not allowed to draw out a single dollar to help them educate their children. The present and all former Legislatures have failed, if not in fact refused, to pass any laws to enable the colored citizens in this Commonwealth to have any system of common schools, leaving their children to grow up without education. That whilst the virtue of all white women is well protected by stringent criminal laws, that of colored women is left without any protection whatever—no, not even that which is afforded our dumb brutes. Many of our beneficial statutes are limited to white persons only, while in every criminal or penal statute, colored people are included; that whilst any white person can testify against any colored person in any court in this Commonwealth, the colored citizens are excluded and denied the right to testify in our courts of justice; so that if to-day, five hundred colored citizens of good moral character, and in good standing in the Baptist Church, here in the city of Frankfort, in the capital of the State, almost within a stone's throw of your honorable body, were assembled in their church, worshiping God according to the dictates of their conscience, and a white man, with malice in his heart, were to go there and shoot down their minister while in his pulpit, in the presence of the whole congregation, he cannot be punished by our courts for such foul murder, if there should be no white person present to testify against him—colored citizens being excluded by law from giving evidence in our courts of justice against white persons in any case. This state of things cannot exist much longer without the whole civilized world condemning us in unmeasured terms. Yet, notwithstanding this cruel cause of legislation toward

a helpless and dependent class of citizens, we find a number of persons, high in authority, claiming to be Christian gentlemen, who assert that the negroes are well cared for in Kentucky, and that no further legislation is necessary to protect them in their lives, liberty, and property.

3d. Because, as matters now stand, all citizens are not equal before the law; all citizens are not protected alike. Notwithstanding thousands of colored persons have been murdered in Kentucky by white men, there is not, it is believed, a single case on record where a white man has been executed for killing a negro, and scarcely a case where any notice of it has been taken by our courts. All men are not allowed to make for themselves a name and a fortune as our Creator intended they should be. All citizens are not allowed to enjoy their inalienable rights, and have full protection to life, liberty, and the pursuit of happiness, or the right to enjoy the fruits of their labor. All men have not proper stimulants to industry; they have not sufficient safeguards thrown around them. Notwithstanding our State Constitution declares "that absolute, arbitrary power over the lives, liberty, and property of freemen, exists nowhere in a Republic—not even in the largest majority" (see *article* 13, *section* 2, *Bill of Rights*, *New Constitution of Kentucky*); and in the fourth section, same article, it is declared "that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, happiness, security, and the protection of property, and they have at all times an inalienable and indefeasable right to alter, reform, or abolish their government in such manner as they may think proper"—yet these provisions of our Constitution are so construed by the dominant party in Kentucky as to include only white persons; and that the Bill of Rights does not embrace the colored people, born and raised here in our midst, who never resided elsewhere. That the expression "all men," wherever found in our organic laws, only signifies "all white men;" that our fathers, in promulgating to the world, in the Declaration of Independence, "that all men are created free and equal," only meant all Englishmen. This argument was used by some, at least by one, of the majority of this Committee.

4th. There are still other reasons why this amendment should not be rejected, viz: There are now more than thirty States in the Union, and each State attempting to regulate the elective franchise, producing great inequality in different States, so that the right of suffrage means one thing in one State, and quite a different thing in another State. Should this condition of things be allowed to continue many years longer, great troubles will grow out of it. Now,

for the sake of uniformity, and that suffrage shall be substantially the same everywhere in the United States, whether North, South, East, or West, the proposed amendment ought not to be rejected. With this amendment regulating suffrage, and the Civil Rights Bill, now entirely ignored, properly enforced, our rights would be the same everywhere in the Union; and we have abundant reason to hope and believe that peace, prosperity, quiet, contentment, and happiness would attend our people, and that sobriety and Christianity would flourish, and the blessings of Heaven rest upon us.

In view of these facts, and believing that this General Assembly will not ratify the proposed Fifteenth Amendment, I recommend the adoption of the following resolution:

Resolved, That the further consideration of the question of the ratification of the Fifteenth Amendment to the Constitution of the United States be postponed until the meeting of the next General Assembly.

All of which is most respectfully submitted.

H. C. LILLY.

Mr. Baker moved to postpone the further consideration of the subject until 7 o'clock, P. M.

Mr. Vories moved that the Senate proceed at once to act thereon.

Mr. Vallandingham moved to lay the motions of Messrs. Baker and Vories on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	Oscar Turner,
A. K. Bradley,	P. H. Leslie,	A. C. Vallandingham,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb,
Wm. A. Dudley,	W. H. Payne,	I. C. Winfrey,
A. H. Field,	E. D. Standeford,	C. T. Worthington—16.
Joseph Gardner,		

Those who voted in the negative, were—

F. M. Allison,	John B. Clarke,	Philip Swigert,
R. T. Baker,	O. P. Johnson,	H. Thompson,
Tho. P. Cardwell,	Henry C. Lilly,	W. L. Vories,
Jno. G. Carlisle,	W. Lindsay,	W. J. Worthington—14.
Joseph H. Chandler,	I. A. Spalding,	

The question was then taken on the adoption of the minority report, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Martin, were as follows, viz:

Those who voted in the affirmative, were—

R. T. Baker,	John B. Bruner,	O. P. Johnson,
Robert Boyd,	Tho. P. Cardwell,	Henry C. Lilly—6.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
Jos. M. Alexander,	Joseph Gardner,	Harrison Thompson,
F. M. Allison,	Evan M. Garriott,	Oscar Turner,
A. K. Bradley,	P. H. Leslie,	A. C. Vallandingham,
John G. Carlisle,	W. Lindsay,	W. L. Vories,
Joseph H. Chandler,	I. T. Martin,	Ben. J. Webb,
John B. Clarke,	W. H. Payne,	I. C. Winfrey,
Lyttleton Cooke,	I. A. Spalding,	C. T. Worthington,
A. D. Cosby,	E. D. Standeford,	W. J. Worthington—28.
Wm. A. Dudley,		

The question was then taken on concurring in the adoption of the resolution of the House of Representatives, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Carlisle and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	E. D. Standeford,
Joseph M. Alexander,	A. H. Field,	Philip Swigert,
F. M Allison,	Joseph Gardner,	H. Thompson,
A. K. Bradley,	Evan M. Garriott,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb,
Lyttleton Cooke,	W. H. Payne,	I. C. Winfrey,
A. D. Cosby,	I. A. Spalding,	C. T. Worthington—27.

Those who voted in the negative, were—

R. T. Baker,	John B. Bruner,	Henry C. Lilly,
Robert Boyd,	O. P. Johnson,	W. J. Worthington—6.

Resolved; That the title of said resolutions be as aforesaid.

On motion of Mr. Leslie, a message was sent to the House of Representatives, asking leave to withdraw the announcement of the disagreement of the Senate to a bill from the House of Representatives, entitled

An act for the benefit of Zephaniah Meek, of Boyd county.

Which was granted, and, after a short time, said bill was handed in at the Clerk's desk.

The vote was then reconsidered, and the bill recommitted to the Committee on Finance.

The Senate took up for consideration a bill concerning the Adjutant General.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all that part of an act, entitled "An act to amend an act, entitled "An act to organize and discipline the Militia of Kentucky," approved February 16, 1866, so far as the same applies to the office of Adjutant General, be, and the same is hereby, re-enacted.

§ 2. That the Adjutant General shall receive a salary of one thousand five hundred dollars for the year beginning on the 17th day of February, 1869, and for no longer, to be paid monthly as other salaries are paid. He shall also be allowed one thousand two hundred dollars for clerk hire for said year. The clerk hire allowed said Adjutant General may be drawn from the Treasury monthly, as other clerk hire is drawn; but there shall at no time be drawn more than is actually expended for such clerk hire, and for which proper vouchers shall be shown and filed.

§ 3. This act to take effect from its passage.

Mr. Carlisle moved to amend the bill as follows, viz:

Strike out all after the enacting clause, and insert in lieu thereof the following:

§ 1. That from and after the passage of this act the Adjutant General shall cease to be a salaried officer.

§ 2. That all duties heretofore performed by the Adjutant General be, and are hereby, devolved upon the Quarter-Master General.

§ 3. That if, in the opinion of the Commissioners of the Sinking Fund, after a strict examination into the amount of the additional labor, if any, hereby imposed upon the Quarter-Master General, any further clerical force shall be necessary to enable the Quarter-Master General to perform these additional duties, said Commissioners of the Sinking Fund be, and are hereby, authorized to employ such clerical force, to be paid in the same manner as the clerks now employed in the Quarter-Master General's office: *Provided*, They shall not at any time employ more than one clerk for such purpose.

§ 4. That this act shall take effect from and after its passage.

Mr. Dudley then moved to amend the amendment proposed by Mr. Carlisle by inserting in lieu thereof the following:

§ 1. That the business of the Adjutant and Quarter-Master General's offices to be transferred to the Auditor of this Commonwealth, and that he be allowed the necessary clerk hire, not exceeding fifteen hundred dollars per annum, to enable him to transact said business.

§ 2. That the salaries of the Adjutant and Quarter-Master General shall be three hundred dollars per annum each.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Wm. A. Dudley,	Ben. J. Webb,
Robert Boyd,	O. P. Johnson,	C. T. Worthington—7.
John B. Bruner,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	I. T. Martin,
A. K. Bradley,	A. H. Field,	Philip Swigert,
Jno. G. Carlisle,	Evan M. Garriott,	H. Thompson,
Joseph H. Chandler,	P. H. Leslie,	Oscar Turner,
John B. Clarke,	Henry C. Lilly,	I. C. Winfrey,
Lyttleton Cooke,	W. Lindsay,	W. J. Worthington—18.

Mr. Lindsey then moved to strike out the third section of the amendment proposed by Mr. Carlisle, and it was decided in the affirmative.

Mr. Dudley then moved the following in relation to the bill and proposed amendments, viz:

Resolved, That the Committee on Finance be directed to inquire and report whether the offices of the Quarter-Master and Adjutant General cannot now be restored to a peace footing, and the settlement of the accounts of the Commonwealth against the United States be transferred to the Auditor or the Commissioners of the Sinking Fund.

Which was rejected.

The question was then taken on the adoption of the substitute, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Field and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	I. A. Spalding,
John B. Bruner,	Evan M. Garriott,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb—11.
John G. Carlisle,	I. T. Martin,	

Those who voted in the negative, were—

F. M. Allison,	Joseph Gardner,	Philip Swigert,
A. K. Bradley,	P. H. Leslie,	H. Thompson,
Joseph H. Chandler,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	W. H. Payne,	I. C. Winfrey,
Wm. A. Dudley,	E. D. Standeford,	C. T. Worthington—16.
A. H. Field,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. H. Field,	Philip Swigert,
A. K. Bradley,	Joseph Gardner,	H. Thompson,
John G. Carlisle,	P. H. Leslie,	Oscar Turner,
Jos. H. Chandler,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	W. H. Payne,	I. C. Winfrey,
Wm. A. Dudley,	E. D. Standeford,	C. T. Worthington—18.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Lyttleton Cooke,	I. A. Spalding,
John B. Bruner,	Evan M. Garriott,	A. C. Vallandingham,
Tho. P. Cardwell,	O. P. Johnson,	Ben. J. Webb,
John B. Clarke,	I. T. Martin,	W. J. Worthington—12.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the German Roman Catholic St. Joseph's Benevolent Society, of the city of Newport.

An act to provide a public guardian in certain cases.

An act to incorporate the Spencer County Mutual Insurance Company.

An act to re-enact and amend the road law of Henderson, Union, and Taylor counties.

An act for the benefit of certain school districts in Barren and Allen counties.

An act for the benefit of Robert E. Puryear.

An act to amend an act, entitled "An act permitting the sale of real estate at the door of the court-house in the city of Newport," approved February 6, 1858.

An act concerning the sale of liquors in district No. 4, in Monroe county.

An act authorizing the trustees of the Methodist Episcopal Church, South, in Cynthiana, to sell and convey their church property and to reinvest the money.

Messrs. Cooke, Carlisle, Spalding, and Clarke were, in pursuance of a resolution heretofore adopted, appointed a committee to re-arrange

the titles and subject-matters of reference to the standing committees of the Senate.

In pursuance of a resolution heretofore adopted, Messrs. Martin and Cooke were appointed a committee to examine into the condition of the Commercial Bank of Kentucky, and make report thereon.

And then the Senate adjourned.

SATURDAY, MARCH 13, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to incorporate Calvary Church, in the city of Louisville.

An act to incorporate the Deposit Bank of Murray.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act in relation to the office of examiners, and depositions heretofore taken by examiners.

2. An act for the benefit of T. J. Reynolds, Isaac Donahoe, and Andrew Philips, trustees of common school district No. 69, for the year 1867, in Muhlenburg county.

3. An act for the benefit of Danl. J. Mock, of Washington county.

4. An act to incorporate the Louisville and Licking railroad company.

5. An act to incorporate the Boyle turnpike road company.

6. An act to amend section 18, article 1, of chapter 84, of the Revised Statutes, title "Roads," so far as Breathitt county is concerned.

7. An act to incorporate the Murray and Aurora Gravel Road Company.

8. An act to amend the charter of the city of Newport.

9. An act to amend the law authorizing the recording of deeds and mortgages in the county court clerk's office at the city of Newport.

10. An act to incorporate the Young Men's Sodality, B. V. M., of the Church of Immaculate Conception, at Newport.

11. An act for the benefit of the Mississippi Valley Life Insurance Company, of Covington.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary, with instructions to report on Monday next, at 10 o'clock, A. M.; the 2d and 3d to the Committee on Education; the 4th, 7th, 8th, 9th, 10th, and 11th to the Committee on the Judiciary; the 5th to the Committee on Internal Improvement, and the 6th to the Committee on Revised Statutes.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act in relation to certain town lots in the town of Morganfield;

An act to provide for the advertisement of sheriff's and marshal's sales in the city of Louisville and Jefferson county;

An act for the benefit of Samuel Ellis, sheriff of Lewis county.

An act to amend the revenue laws;

An act for the benefit of Thos. G. Poor, trustee of the jury fund for Hickman county;

An act for the benefit of Jas. W. Linden, sheriff of Breathitt county;

An act for the benefit of Wm. Wilson, late sheriff of Union county;

An act for the benefit of Tho. L. Floyd, late sheriff of Spencer county;

An act for the relief of the sureties of Jas. Bartley, late sheriff of Monroe county;

An act for the benefit of A. C. Cox, of Green county;

An act for the benefit of Robt. Riddle, jr;

An act to repeal section 2 of an act to amend an act to charter the Columbia and Burksville turnpike road company;

An act to authorize the Auditor to employ counsel for the State;

An act for the benefit of Wm. O. Newman, &c.;

An act for the benefit of Cumberland county;

An act for the benefit of R. L. Cooper, John Salyers, and James Howard, securities of W. J. Coffee, late sheriff of Magoffin county;

An act for the benefit of Jordan Neal and his securities as late sheriff of Estill county;

An act for the benefit of C. S. Green;

An act for the benefit of Mrs. Julia Brann, of Webster county;

An act for the benefit of Wm. J. Ashcraft, &c.;

An act to revive and amend an act for the benefit of G. J. Cundiff, surety of J. B. McWhorter, approved February 5, 1867;

An act for the benefit of T. M. Conditt, of McLean county;

An act for the benefit of A. G. Coffey, John Johnson, and others;

An act to establish a ferry opposite Caledonia, Illinois;

An act to amend the charter of the Cairo Junction railroad company;

An act to increase the resources of the sinking fund of the city of Louisville;

An act for the benefit of Maria Moore, of Larue county;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Mt. Sterling and Levee turnpike road company;

An act to incorporate the Working Men's Mutual Relief Association, of Kentucky;

An act to incorporate Olive Branch Division, No. 21, Sons of Temperance, of Dayton, Kentucky;

An act for the benefit of John C. Howard, late sheriff of Harlan county;

An act to amend the charter of the city of Louisville;

An act appropriating two thousand dollars to remove obstructions out of the Sturgeon Fork of the Kentucky river;

An act concerning Quarter-Master General's Office, continuing salary thereof for one year;

An act to create an additional magistrates' district and voting precinct in Christian county;

An act for the benefit of John Seaton, late judge of the Greenup county court;

An act to incorporate the Duncansville and Chaplin turnpike road company;

An act to amend an act, entitled "An act to charter the town of Hiseville, in Barren county," approved March 5th, 1868;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Princeton;"

An act in regard to the Jefferson Pond Draining Company;

An act to establish a work-house, hospital and pest-house, in the county of Bourbon;

An act to amend the charter of the town of Crittenden;

An act to incorporate the Floral Park Association, of Louisville;

An act to incorporate the Southern Mail Company;

An act to incorporate the Metropolis and Southwestern railroad company;

An act to amend the charter of the town of Washington, in Mason county;

An act to incorporate the town of Visalia, in Kenton county;

An act to amend an act, entitled "An act to incorporate the town of Osceola;"

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867;

An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties;

An act to amend the several acts incorporating the town of Falmouth, in Pendleton county, approved January 31, 1867;

An act to charter the Louisville Rose Pearl Company;

An act to incorporate the Brandenburg and Webster turnpike road company;

An act creating the Mt. Sterling Sentinel a legally authorized newspaper;

An act to incorporate Mt. Olivet Lodge, No. 291, Free and Accepted Masons, in Robertson county;

An act to incorporate the Boone's Knob Monumental Association;

An act to incorporate Crab Orchard Lodge, No. 432, Ancient York Masons;

An act to amend the charter of the Salomon Gas Company;

An act for the benefit of Hibbard Williamson, of Pike county;

An act to amend an act, entitled "An act for the benefit of persons holding lands lying back of other lands in the vicinity of any of the navigable streams in this State;"

An act to change the county line between Taylor and Green counties;

An act to repeal section 2 of an act, entitled "An act in relation to the county lines of Floyd and Lawrence and Johnson counties," approved March 1, 1860;

An act to change the place of voting in voting precinct No. 6, in Nicholas county;

An act for the benefit of Wm. Carter, of Caldwell county;

An act to incorporate the Union Bridge Company;

An act for the benefit of William M. Fulkerson;

An act to amend the charter of Raywick, in Mason county;

An act to amend an act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund;"

An act for the benefit of George Berkemier, of Campbell county;

An act to authorize the city of Lexington to subscribe stock in the Maysville and Lexington railroad company, Northern Division;

Resolution to print Report of Regent of Kentucky University;

An act to protect lands under inclosure and punish the unlawful entry on the same;

An act to incorporate the Central Savings Bank, of the city of Louisville;

An act to amend an act, entitled "An act to amend and reduce into one all acts incorporating the Masonic Savings Institution;"

An act to incorporate the Deposit Bank of Hopkinsville;

An act to incorporate the North Middletown Deposit Bank;

An act to incorporate the Warren Deposit Bank, at Bowling Green;

An act to regulate the granting of coffee-house licenses in the city of Paris;

An act to incorporate the Metropolis and Kentucky Bridge Company;

An act to incorporate the Beargrass Beef and Pork Packing and Manufacturing Company;

An act to amend the charter of the McLean County Agricultural and Mechanical Association;

An act to incorporate the Versailles Mutual Insurance Company;

An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county;"

An act to amend the charter of the town of Woodburn, in Marion county;

An act to incorporate the Hopkinsville and Nashville Coal Mining Company;

An act to charter the Spring Station and Midway turnpike company;

An act to incorporate the Versailles and Mt. Vernon turnpike road company;

An act to incorporate the town of Salem, in Livingston county;

An act to incorporate Muhlenburg Lodge, No. 415, Free and Accepted Ancient York Masons;

An act to incorporate the Danville and McMinnville railroad company;

An act to incorporate the town of Berlin, in Bracken county;

An act to incorporate the Crooksville and Muddy Creek turnpike road company, in Madison county;

An act to amend the charter of the Southern Life Insurance Company;

An act to repeal the charter and amended charter and incorporate the town of Nicholasville;

An act to repeal an act, entitled "An act to prevent the sale of spirituous liquors within one mile of the town of St. Mary's, in Marion county;"

An act in relation to the sale of ardent spirits in the town of Greenupsburg;

An act for the benefit of the city of Louisville;

An act for the benefit of the Mississippi Valley Life Insurance Company, of Covington;

An act for the benefit of J. W. Atkins;

An act for the benefit of R. H. Shanklin;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution requesting Congress to place the soldiers of 1812 upon the pension roll.

That they had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville Edge-tool Factory.

An act to incorporate the Mason and Fleming turnpike road company.

An act to amend an act, entitled "An act to incorporate the Lewis and Mason County turnpike road company," approved March 7, 1868.

An act to incorporate the Germantown and North Fork turnpike road company, in Mason county.

An act to incorporate the Grier's Creek turnpike road company, in Woodford county.

An act to amend an act, entitled "An act to charter the Stanford Female Seminary."

An act for the benefit of the town of Elizaville.

An act to charter the Briensburg Library Association, in Marshall county.

An act to incorporate the Owingsville and Ficklin Tan-yard turnpike road company, in Bath county.

An act to change the time of holding the quarterly courts in Gallatin county.

An act to amend an act incorporating the town of Lawrenceburg.

An act for the benefit of Elliott county.

An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company."

An act to change the time of holding the court of claims in Meade county.

An act incorporating the Colored Benevolent Society, of Hopkinsville.

An act to amend an act, entitled "An act to establish a road leading from London, Laurel county, to Booneville, in Owsley county."

An act for the benefit of the Rockcastle county court.

An act for the benefit of Henry county.

An act to authorize the presiding judge of the county of Metcalfe to sell land.

An act to amend an act, entitled "An act to amend the charter of the town of Stanford," approved March 6th, 1868.

An act to incorporate the Owingsville, Slate Furnace, Iron Ore Bank turnpike road company, in Bath county.

An act for the benefit of the county of Warren.

An act to incorporate the Harmony turnpike road company, in Owen county.

An act to authorize the election of a police judge, town marshal, &c., in Prestonsville, Carroll county.

An act to incorporate the Flat Rock and Caldwell's Mill turnpike road company.

An act for the benefit of school district No. 2, in Kenton county.

An act to change the road laws in Jackson county.

An act to incorporate the Mayfield and Boydsville turnpike road company.

An act for the benefit of the Jackson county court.

An act to establish a State road from Hopkinsville to Paducah, via Parkersville.

An act to declare Buffalo creek, in Floyd county, a navigable stream.

An act to incorporate Jefferson College, at Jeffersontown.

An act for the benefit of common school district No. 54, in Trigg county.

An act to charter the Hebron Academy Company, of Boone county.

An act for the benefit of the Carrollton and Eagle Creek turnpike road company.

An act to amend an act, entitled "An act to authorize the election of a police judge in the town of Irvine," approved 30th March, 1861.

An act to incorporate the Stanford and Milledgeville turnpike road company.

An act to amend the charter of the Henry, Oldham, and Jefferson turnpike road company.

An act to amend an act to incorporate the Henderson Fair Company.

An act for the benefit of the Maysville and Lexington railroad company, Northern Division.

An act to incorporate Edmonton Chapter, No. 100, Royal Arch Masons, of Kentucky.

An act to incorporate the Paducah Boat Building and Dock Company.

An act to amend the charter of the Georgetown, Oxford, and Lees-burg turnpike road.

An act to incorporate the North Middletown and Thatcher's Mill turnpike road company.

An act to incorporate the Mt. Vernon and Boone's Gap turnpike road company.

An act to incorporate the Monterey and Cedar Creek turnpike road company, in Owen county.

An act to incorporate the Butler and Pribble's Cross-roads turnpike road company.

An act to incorporate the Washington and Lee's Woods turnpike road company, in Mason county.

An act to incorporate the Upper Blue Lick turnpike road company, in Mason county.

An act to amend and reduce into one the acts incorporating the town of Louisa.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act submitting to the people of Kentucky the levy of a tax to aid in the construction of railroad, turnpike, and river improvements.

And the question being taken on granting the request of the House of Representatives, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	W. H. Payne,
F. M. Allison,	Joseph Gardner,	I. A. Spalding,
Robert Boyd,	Evan M. Garriott,	E. D. Standeford,
A. K. Bradley,	O. P. Johnson,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	Oscar Turner,
Tho. P. Cardwell,	Henry C. Lilly,	A. C. Vallandingham,
John B. Clarke,	W. Lindsay,	W. L. Vories,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb—25.
A. D. Cosby,		

Those who voted in the negative, were—

John G. Carlisle,	Wm. A. Dudley,	I. C. Winfrey,
Joseph H. Chandler,	H. Thompson,	W. J. Worthington—6.

Mr. Swigert, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to aid the county of Bath in the completion of its court-house,

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, The court-house in the county of Bath was destroyed by fire during the war, and the same has in part been rebuilt; and whereas, said county owes a debt of more than two hundred thousand dollars, chiefly created for railroad purposes, and is unable to pay the interest thereon, the necessary taxes, and the cost of completing said court house, without being burdened with oppressive taxation; now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the State taxes as now are, or shall be, imposed upon the property of said county for general revenue purposes for the term of two years, excepting that portion of the taxes belonging to the Sinking and Common School Funds, be, and the same is hereby, surrendered to said county to aid in the completion of said court-house; and the sheriff of said county is required and directed to

collect and pay said taxes during said term to the county judge of said county, to be applied by him for the purpose aforesaid; and said sheriff and his sureties shall be liable to the county court of said county for the faithful discharge of said duties as they are now liable for the payment of the county levy.

§ 2. This act shall take effect from the passage thereof.

Mr. Chandler then moved the following amendment, viz:

Provided, That all taxes collectable from Taylor county for the years 1869 and 1870, except so much as is due the Sinking Fund and Common School Fund, be, and the same is hereby, remitted, and the same shall be applied for the purpose of extinguishing the debt of said county incurred on account of the erection of a new court-house, the court-house of said county having been destroyed by fire during the war.

Mr. Winfrey then moved to lay said bill and proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thompson and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Lyttleton Cooke,	Oscar Turner,
Robert Boyd,	A. D. Cosby,	Ben. J. Webb,
John B. Bruner,	Evan M. Garriott,	I. C. Winfrey—11.
John B. Clarke,	O. P. Johnson,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	P. H. Leslie,	Philip Swigert,
Jno. G. Carlisle,	Henry C. Lilly,	H. Thompson,
Joseph H. Chandler,	I. T. Martin,	A. C. Vallandingham,
Wm. A. Dudley,	W. H. Payne,	W. L. Vories,
A. H. Field,	I. A. Spalding,	W. J. Worthington—17.
Joseph Gardner,	E. D. Standeford,	

The question was then taken on the adoption of the amendment proposed by Mr. Chandler, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chandler and Field, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
Robert Boyd,	Joseph Gardner,	H. Thompson,
John B. Bruner,	O. P. Johnson,	Oscar Turner,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Jos. H. Chandler,	I. T. Martin,	W. L. Vories,
John B. Clarke,	W. H. Payne,	Ben. J. Webb,
Lyttleton Cooke,	I. A. Spalding,	I. C. Winfrey—23.
Wm. A. Dudley,	E. D. Standeford,	

Those who voted in the negative, were—

F. M. Allison, A. D. Cosby, Henry C. Lilly—5.
A. K. Bradley, Evan M. Garriott,

Mr. Cooke moved to amend said bill as follows, viz:

Amend by adding the following:

The provisions of this bill shall apply to all other counties in this Commonwealth in which the court-houses or jails need rebuilding or repairing.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thompson and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson), Evan M. Garriott, I. A. Spalding,
Robert Boyd, O. P. Johnson, E. D. Standeford,
John B. Bruner, P. H. Leslie, A. C. Vallandingham,
John B. Clarke, Henry C. Lilly, W. L. Vories,
Lyttleton Cooke, I. T. Martin, I. C. Winfrey—16.
A. H. Field,

Those who voted in the negative, were—

F. M. Allison, Joseph H. Chandler, W. H. Payne,
A. K. Bradley, A. D. Cosby, Philip Swigert,
John G. Carlisle, Joseph Gardner, H. Thompson—9.

Mr. Boyd then moved to amend the bill as follows, viz:

Amend by making the provisions of this bill apply to all the counties of this Commonwealth that need any improvement made upon their respective public buildings.

Which was adopted.

Mr. Winfrey then moved to amend said bill as follows, viz:

That the revenue, except that portion of it by law set apart to the Common School and Sinking Fund, from the county of Cumberland, for the years 1869 and 1870, is hereby appropriated to said county for the purpose of rebuilding the court-house in said county, which was destroyed during the war.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thompson and Field, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	I. A. Spalding,
F. M. Allison,	A. H. Field,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
A. K. Bradley,	O. P. Johnson,	Harrison Thompson,
John B. Bruner,	P. H. Leslie,	Oscar Turner,
John G. Carlisle,	Henry C. Lilly,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay.	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb,
Lyttleton Cooke,	W. H. Payne,	I. C. Winfrey—27.

So said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of Zephaniah Meek, of Boyd county.

By same—

An act for the benefit of Tho. M. Newman.

By same—

An act for the benefit of Edward R. Webb, of Johnson county.

By same—

An act for the benefit of G. S. Jones, late sheriff of Marshall county.

By Mr. Webb, from the Committee on Education—

An act for the benefit of common schools in Kentucky.

By Mr. Leslie, from the Committee on Finance—

An act for the benefit of Wm. P. Johnson, late sheriff of Pike county, and his sureties.

By same—

An act for the benefit of John B. Jeup & Co.

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

An act to incorporate the Hanson Coal Company.

By same—

An act to incorporate Marble City Mining and Manufacturing Company, of Henderson county,

By same—

An act to incorporate the Farmers' Protection Association.

By Mr. W. J. Worthington, from the same committee—

An act to incorporate the Raccoon Mining and Manufacturing Company.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to authorize the Simpson county court to aid in constructing turnpikes in said county.

By same—

An act to amend the laws relating to the Wilderness turnpike road, in Knox connty.

By Mr. Cooke, from the Committee on the Judiciary—

An act for the benefit of the Mississippi Valley Life Insurance Company, of Covington.

By Mr. Lindsay, from the Committee on County Courts—

An act to exempt telegraph operators and the employees of telegraph offices from sitting on juries.

By same—

An act for the benefit of Woodford county.

By same—

An act to change the time of holding the Lincoln county court.

By same—

An act legalizing certain acts of the Mercer county court.

By Mr. Webb, from the Committee on Education—

An act for the benefit of Danl. J. Mock, of Washington county.

By same—

An act to consolidate common school districts Nos. 16 and 18, in Kenton county.

By Mr. Vallandingham, from the same committee—

An act for the benefit of school districts Nos. 16 and 19, in the county of Fayette.

By same—

An act for the incorporation of the Louisville Medico-Chirurgical Society.

By Mr. Swigert, from the Committee on Internal Improvement—

An act to amend the charter of the Elizabethtown and Tennessee railroad company.

By same—

An act to extend an act of 1867, concerning the Lexington and Big Sandy railroad, Western Division.

By same—

An act to incorporate the Kentucky River Transportation Company.

By Mr. Standeford, from the same committee—

An act to provide for paying county court clerks for copying delinquent lists.

By same—

An act to incorporate the Boone's Creek turnpike road company.

By Mr. Leslie, from the Committee on Finance—

An act to furnish certain officers in Mercer and Clinton counties with public books.

By same—

An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river.

By Mr. Standeford, from the Committee on Internal Improvement—

An act for the benefit of turnpike road companies in this Commonwealth in which the State owns stock in the counties of Kenton, Shelby, and Jefferson.

With amendments to the last three named bills.

Which were concurred in.

Ordered, That said bills, the last three as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Swigert, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to aid the county of Montgomery to rebuild its court-house,

Reported the same without amendment.

Mr. Winfrey moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thompson and Martin, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Lyttleton Cooke,	I. T. Martin,
Robert Boyd,	A. D. Cosby,	W. L. Vories,
John B. Bruner,	A. H. Field,	Ben. J. Webb,
Tho. P. Cardwell,	Evan M. Garriott,	I. C. Winfrey,
Joseph H. Chandler,	P. H. Leslie,	W. J. Worthington—16.
John B. Clarke,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Henry C. Lilly,	E. D. Standeford,
A. K. Bradley,	W. Lindsay,	Philip Swigert,
Jno. G. Carlisle,	W. H. Payne,	H. Thompson,
Wm. A. Dudley,	I. A. Spalding,	Oscar Turner—12.

Mr. Lindsay, from the Committee on County Courts, to whom had been referred bills from the House of Representatives of the following titles, viz:

An act to amend an act for the benefit of Fayette county;

An act to amend an act, entitled "An act to provide for the holding of county and quarterly courts when the judge is absent or cannot preside," approved March 9, 1854;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative.

So said bills were disagreed to.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., March 13, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

William Linton, of Jefferson county.
John S. Kline, of Jefferson county.
Samuel C. Fisher, of Jefferson county.
George H. Eastin, of Jefferson county.
William Cromey, of Jefferson county.
R. W. Meredith, of Jefferson county.
Henry H. Houston, of McCracken county.
J. M. Rowlett, of Henry county.
John Hogan, of Carroll county.
Jefferson Johnson, of McLean county.
A. H. Shirley, of Barren county.
D. D. Sublett, of Magoffin county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which the Senate had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. E. Palmer, of Mercer county.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

WHEREAS, It has been represented to this Legislature that W. E. Palmer, of Mercer county, has paid into the State Treasury, of this State, the sum of eight hundred and nine dollars and sixty cents, on account of the military tax which was levied upon persons in said county, and the number of 757 persons so subject to said tax failed to pay said tax and enlisted in the army, and, by reason thereof, the said tax could not be collected; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of three hundred and seventy-eight dollars and fifty cents be, and the same is hereby, appropriated for the benefit of the said W. E. Palmer, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to be a law from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Jos. H. Chandler,	Henry C. Lilly,
A. K. Bradley,	A. H. Field,	I. A. Spalding,
Tho. P. Cardwell,	Joseph Gardner,	H. Thompson,
John G. Carlisle,	Evan M. Garriott,	I. C. Winfrey—12.

Those who voted in the negative, were—

F. M. Allison,	P. H. Leslie,	Philip Swigert,
A. D. Cosby,	W. Lindsay,	W. L. Vories,
Wm. A. Dudley,	W. H. Payne,	W. J. Worthington—9.

So said bill was again disagreed to.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the sale of the Poplar Level Church property, and the reinvestment of the proceeds arising therefrom.

An act for the benefit of F. C. Trice.

An act for the benefit of Greenup county.

An act for the benefit of Nelson county.

An act for the benefit of John Seaton, of Greenup county.

An act for the benefit of W. F. Harrison.

An act for the benefit of Adam C. Fox.

An act to amend the charter of the Louisville City railway company.

An act for the benefit of the county court of Breckinridge county.

An act to authorize the trustees of the town of Columbia to appropriate money to build a school-house in said town for common school purposes.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act authorizing the Auditor to sell lands for the non-payment of taxes, and regulate the conveyance, redemption, and recovery thereof,

Reported the same without amendment.

Ordered, That said bill be printed, and made the special order of the day for Monday next.

Mr. Leslie, from the Committee on Finance, to whom had been referred a resolution from the House of Representatives, entitled

Resolutions to employ counsel in defense of J. M. & C. Carlyle,

Reported the same, with the expression of opinion that said resolutions should not be concurred in.

Said resolution reads as follows, viz:

WHEREAS, It has been represented to the General Assembly of the Commonwealth of Kentucky that Cyrus and John Carlyle, citizens of this State, under indictment for the alleged murder of T. Y. Hampton, a citizen of the State of Indiana, were tried and convicted before the Spencer county court of common pleas of that State, in June, 1867, and sentenced each to the State Prison of said State of Indiana for the term of their natural lives; and whereas, it was in proof, on said trial, that the said alleged murder was committed, if at all, near the Kentucky shore of the Ohio river; and whereas, the said case of the "State of Indiana vs. Cyrus and John Carlyle," has been prepared for appeal to, and adjudication by, the supreme court of the State of Indiana, but the defendants are unable to employ counsel to prosecute said appeal; now, disclaiming all intention or desire of unwarranted interference with the judicial proceedings or findings of the courts of a sister sovereign State, of any expression of sympathy with crime or criminals, or of endeavor to shield our citizens from the legal consequences of their own misdeeds, and of which they may have been duly convicted; but, for this single purpose, that the legal questions involved in the settlement of the case, so far as jurisdiction over offenses charged to have been committed on the Ohio river, as between this and the State of Indiana, is concerned, may be properly presented before said court on behalf of this State,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the sum of $1,500 be, and the same is hereby, appropriated for

the purpose of having the facts and legal questions involved in the case of the State of Indiana vs. Cyrus and John Carlyle properly presented before the supreme court of the State of Indiana, by brief or oral argument, or both; and that, for this purpose, the Attorney General of the State of Kentucky, Colonel Charles Denby, and John J. Chandler, of Evansville, Indiana, be employed as counsel for the Carlyles in the said case, between whom, or such of them as may act in the above capacity, the amount of said appropriation be equally divided.

Resolved, Whenever said case is docketed for trial before the supreme court of the State of Indiana, and the said attorneys, or such of them as may appear, have presented the legal questions involved in the case, by brief or oral argument, or both, and the case has been decided by said court, upon the presentation of a certificate to that effect, signed and attested by the clerk of said court, to the Governor of this State, and by him certified to the Auditor, it shall be the duty of the Auditor to draw his warrant or warrants upon the Treasurer of the State, payable to such of the attorneys named above as may have appeared before the supreme court of Indiana as counsel for Cyrus and John Carlyle, to the extent of the appropriation made in the first section hereof.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	I. T. Martin,	Philip Swigert,
A. K. Bradley,	W. H. Payne,	Harrison Thompson,
Jos. H. Chandler,	I. A. Spalding,	W. L. Vories,
Lyttleton Cooke,	E. D. Standeford,	Ben. J. Webb—13.
Joseph Gardner,		

Those who voted in the negative, were—

F. M. Allison,	Wm. A. Dudley,	W. Lindsay,
Robert Boyd,	A. H. Field,	A. C. Vallandingham,
John B. Bruner,	O. P. Johnson,	I. C. Winfrey,
Tho. P. Cardwell,	P. H. Leslie,	W. J. Worthington—14.
John B. Clarke,	Henry C. Lilly,	

Mr. Spalding moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act concerning the Adjutant General.

And the question being taken thereon, it was decided in the affirmative.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all that part of an act, entitled "An act to amend an act, entitled "An act to organize and discipline the Militia of Kentucky,"

approved February 16, 1866, so far as the same applies to the office of Adjutant General, be, and the same is hereby, re-enacted.

§ 2. That the Adjutant General shall receive a salary of one thousand five hundred dollars for the year beginning on the 17th day of February, 1869, and for no longer, to be paid monthly as other salaries are paid. He shall also be allowed one thousand two hundred dollars for clerk hire for said year. The clerk hire allowed said Adjutant General may be drawn from the Treasury monthly, as other clerk hire is drawn; but there shall at no time be drawn more than is actually expended for such clerk hire, and for which proper vouchers shall be shown and filed.

§ 3. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
F. M. Allison,	Joseph Gardner,	Harrison Thompson,
Jno. G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
Joseph H. Chandler,	W. Lindsay,	W. L. Vories,
Lyttleton Cooke,	W. H. Payne,	Ben. J. Webb,
A. D. Cosby,	I. A. Spalding,	I. C. Winfrey—20.
Wm. A. Dudley,	E. D. Standeford,	

Those who voted in the negative, were—

Robert Boyd,	John B. Clarke,	W. J. Worthington—5.
John B. Bruner,	Oscar Turner,	

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of John Deaton and John Lewis, jr.,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred and forty-six dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise apppropriated, to John Deaton, and the further sum of one hundred and two dollars is hereby appropriated to John Lewis, jr., for services rendered in removing obstructions out of the Middle Fork of Kentucky river; and the Auditor is hereby directed to draw his warrant in favor of said John Deaton and John Lewis, jr., for the sums above named.

§ 2. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	I. A. Spalding,
F. M. Allison,	Joseph Gardner,	E. D. Standeford,
Robert Boyd,	Evan M. Garriott,	Philip Swigert,
Tho. P. Cardwell,	P. H. Leslie,	W. L. Vories,
John B. Clark,	Henry C. Lilly,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—23.
Wm. A. Dudley,	W. H. Payne,	

In the negative—John B. Bruner.

Resolved, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act in relation to the accounts of the late State Geologist and his assistants,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, The General Assembly, at its last session, passed an act, entitled "An act authorizing a settlement of the accounts of Sidney S. Lyon, late Assistant State Geologist," approved March 9, 1868, whereby the Governor was authorized to cause a settlement of the accounts of said Lyon to be made, and to direct payment, out of the Treasury, of any balance found to be due him; and whereas, it appears, by the report of James A. Dawson, Commissioner appointed by the Governor to make said settlement, communicated to the House by the Governor, that there is a balance justly due to said Lyon of six hundred and eighty-two dollars ($682); and whereas, the yeas and nays not having been taken on the passage of said act, the Auditor is not authorized to issue his warrant on the Treasurer for said sum; and whereas, it appears from said report, and the message of the Governor transmitting the same, that the State has claims against the estate of David D. Owen, deceased, for property of the State remaining in his hands at the time of his death, and that there are in the hands of the personal representatives of Mr. Owen, or of other persons, sundry "maps, plats, unpublished data as to the Geological Survey, with plates, &c., which justly belong to the State of Kentucky;" therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer, in favor of Sidney S. Lyon, for the sum of six hundred and eighty-two dollars ($682), the balance due him as aforesaid: *Provided*, That said Lyon shall first turn over to said commissioner all memoranda, notes, maps, plats, unpublished data, plates,

or other property in his hands belonging to the State, which shall be carefully preserved, in such place as the Governor may direct, for future use and reference.

§ 2. That the Governor be, and he is hereby, authorized to appoint a competent commissioner to settle with the personal representative of David D. Owen, deceased, on account of property of the State in the hands of said Owen at the time of his death; and such commissioner, after ascertaining, by the records of the State, and such other means as may be accessible, the amount and value of any such property of the State so in the hands of said David D. Owen at the time of his death, and not yet accounted for, or any property of the State remaining in the hands of any one of the assistants of said Owen in the matter of the Geological Survey, or in the hands of any one else; may demand, receive, receipt for the same, or the value of such part thereof as is now destroyed or dead, or worn out; and in case of the failure or refusal of any such person to surrender such property, or to pay the value thereof, said commissioner may prosecute suit therefor in the name of the Commonwealth. He shall report his acts to the Governor, and shall certify the time actually employed by him in attending to the business of his commission, and the amount of the actual expense incurred by him in so doing, whereupon the Governor shall direct the Auditor to issue his warrant on the Treasurer for the said actual expenses, and the sum of five dollars per day as compensation to said commissioner, which shall be paid by the Treasurer: *Provided*, That he shall not be paid for more than thirty days for services herein directed. Said commissioner shall execute bond to the Commonwealth, conditioned for a faithful performance of his duties, with good security, to be approved by the Governor. Any money collected by him shall be reported to the Governor and paid into the Treasury; and all property received by him shall be deposited with the State Librarian, who shall carefully preserve the same. If such property be perishable, it may, by direction of the Governor, be sold by the commissioner, and the proceeds paid into the Treasury.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Evan M. Garriott,	E. D. Standeford,
F. M. Allison,	P. H. Leslie,	Philip Swigert,
A. K. Bradley,	Henry C. Lilly,	A. C. Vallandingham,
Jos. H. Chandler,	W. Lindsay,	W. L. Vories,
John B. Clarke,	I. T. Martin,	Ben. J. Webb,
Lyttleton Cooke,	W. H Payne,	I. C. Winfrey,
Wm. A. Dudley,	I. A. Spalding,	W. J. Worthington—22.
Joseph Gardner,		

In the negative—John B. Bruner.

Resolved, That the title of said bill be as aforesaid.

Mr. Lindsay, from the Committee on County Courts, to whom was referred a bill from the House of Representatives, entitled

An act to authorize John Friend, jailer of Floyd county, to appoint a deputy,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John Friend, the present jailer of Floyd county, be, and hereby is, authorized to appoint a deputy jailer of said county, who shall be empowed to act as the deputy of said jailer in said county, and shall have all the power and authority necessary to do so.

§ 2. Before said deputy can act, his appointment shall be approved by the Floyd county court, and he shall give bond in said court, with good security, to be approved by said court, for the faithful performance of his duties and honestly to account for all moneys that may come into his hands, and shall, in addition to the constitutional oath, take an oath to the same effect.

§ 3. The jailer and his sureties must consent, in open court, to the appointment of said deputy, and must be responsible for the acts of said deputy.

§ 4. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gardner and Boyd, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	Wm. A. Dudley,	I. A. Spalding,
Tho. P. Cardwell,	W. Lindsay,	W. L. Vories,
A. D. Cosby,	W. H. Payne,	W. J. Worthington—9.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	O. P. Johnson,	A. C. Vallandingham,
A. K. Bradley,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	Henry C. Lilly,	I. C. Winfrey—11.
A. H. Field,	Philip Swigert,	

So said bill was disagreed to.

Mr. Lindsay, from the Committee on County Courts, to whom was referred a bill from the House of Representatives, entitled

An act to extend the jurisdiction of justices of the peace,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the courts of justices of the peace in this Commonwealth shall have jurisdiction, concurrent with the quarterly court, of actions

and proceedings for the direct recovery of money where the matter does not exceed fifty dollars in value, and in other cases especially provided by statute; and they shall have jurisdiction concurrent with the circuit and quarterly courts in all actions and proceedings for the recovery of debts, when said debts do not exceed in amount one hundred dollars.

§ 2. This act to be in force from its passage.

Mr. Dudley moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Cooke, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	W. H. Payne,
F. M. Allison,	A. H. Field,	I. A. Spalding,
Robert Boyd,	O. P. Johnson,	Philip Swigert,
A. K. Bradley,	P. H. Leslie,	Ben. J. Webb—14.
John B. Clarke,	Henry C. Lilly,	

Those who voted in the negative, were—

John B. Bruner,	I. T. Martin,	A. C. Vallandingham,
Tho. P. Cardwell,	E. D. Standeford,	W. L. Vories,
A. D. Cosby,	H. Thompson,	I. C. Winfrey,
Joseph Gardner,	Oscar Turner,	W. J. Worthington—13.
W. Lindsay,		

Mr. Swigert, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act to provide for the building of a new court-house and jail in Logan county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court of Logan county is hereby authorized and empowered to levy a tax upon the assessable property within the existing limits of said county, not exceeding fifty cents on the one hundred dollars, and also a *per capita* tax not exceeding five dollars, for the purpose of building a court-house, with clerk's and sheriff's offices attached, and jail, at Russellville, in said county.

§ 2. That it shall be the duty of the sheriff of said county to collect the same as the revenue of the State is collected, and apply it as directed by said county court, for the purposes herein above mentioned.

§ 3. That the county court of Logan is hereby authorized and empowered to sell and dispose of such of the public buildings and grounds belonging to said county as they may deem necessary to aid in the construction of said court-house and other buildings, and that

they shall have power to adopt all measures necessary to the carrying out of this act.

§ 4. That the net State proper revenue arising from the taxable property of said county, for the years 1869 and 1870, be, and the same is hereby, appropriated for the purpose of assisting said county in the erection of said buildings'; and the sheriff of said county shall pay said revenue for said years into the county court of said county for the purpose aforesaid.

§ 5. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Martin and Winfrey, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	I. A. Spalding,
A. K. Bradley,	Wm. A. Dudley,	Philip Swigert,
Tho. P. Cardwell,	Joseph Gardner,	A. C. Vallandingham,
John G. Carlisle,	W. H. Payne,	H. Thompson—13.
Jos. H. Chandler,		

Those who voted in the negative, were—

John B. Bruner,	O. P. Johnson,	Oscar Turner,
John B. Clarke,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey—11.
A. H. Field,	I. T. Martin,	

Mr. Thompson moved to reconsider the vote by which said bill had passed.

Mr. Vallandingham moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cooke and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John G. Carlisle,	W. H. Payne,
A. K. Bradley,	Joseph Gardner,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	Philip Swigert—9.

Those who voted in the negative, were—

John B. Bruner,	A. H. Field,	Harrison Thompson,
Jos. H. Chandler,	O. P. Johnson,	Oscar Turner,
John B. Clarke,	Henry C. Lilly,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—17.
Wm. A. Dudley,	I. A. Spalding,	

The question was then taken on reconsidering the vote by which the Senate had passed said bill, and it was decided in the affirmative

The yeas and nays being required thereon by Messrs. Cooke and Martin, were as follows, viz:

Those who voted in the affirmative, were—

John B. Bruner,	O. P. Johnson,	Harrison Thompson,
Joseph H. Chandler,	Henry C. Lilly,	Oscar Turner,
John B. Clarke,	W. Lindsay,	W. L. Vories,
Lyttleton Cooke,	I. T. Martin,	Ben. J. Webb,
Wm. A. Dudley,	I. A. Spalding,	I. C. Winfrey,
A. H. Field,	E. D. Standeford,	W. J. Worthington—18.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. H. Payne,
A. K. Bradley,	Joseph Gardner,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	Philip Swigert—10.
John G. Carlise,		

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Martin and O. P. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
A. K. Bradley,	Henry C. Lilly,	A. C. Vallandingham,
Tho. P. Cardwell,	W. H. Payne,	Philip Swigert—11.
John G. Carlisle,	I. A. Spalding,	

Those who voted in the negative, were—

John B. Bruner,	O. P. Johnson,	Oscar Turner,
John B. Clarke,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey,
A. D. Cosby,	I. T. Martin,	W. J. Worthington—14.
A. H. Field,	Harrison Thompson,	

So said bill was disagreed to.

The Senate took up for consideration a bill to abolish the Board of Internal Improvement,

Together with the amendment proposed by the House of Representatives.

The question was then taken on concurring in said amendment, and it was decided in the negative.

A message was received from the House of Representatives, announcing that they insisted on their proposed amendment to said bill.

On motion, a message was sent to the House of Representatives, asking that a committee of conference be appointed on their part, to act in conjunction with a similar committee to be appointed on the part of the Senate, to take into consideration the disagreement be-

tween the two Houses in relation to an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to abolish the Board of Internal Improvement.

After a short time, a message was received from the House of Representatives, announcing that they, on their part, had appointed a committee for the purpose just above indicated.

Whereupon, a similar committee was appointed on the part of the Senate.

After a short time, the committee of conference on the part of the Senate reported to the Senate the result of the conference.

Which was adopted.

A message was received from the House of Representatives, announcing that they had also concurred in the report of the committee of conference in relation to the bill aforesaid.

Mr. Lindsay, from the Committee on County Courts, to whom had been referred a bill from the House of Representatives, entitled

An act to change the boundary of Meade county,

Asked to be discharged from the further consideration of said bill, and that it might be referred to the Committee on Propositions and Grievances.

Which was granted.

A message was received from the House of Representatives, announcing their disagreement to an amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to incorporate the Louisville, Kentucky, Cement Company.

Mr. Leslie moved the following resolution, viz:

Resolved, That when the Senate adjourns this evening at 5, it shall meet again at 7½ o'clock, and continue in session until 10 o'clock, P. M., for the further disposition of the business.

Which was adopted.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the passage of a bill, which originated in the Senate, entitled

An act to provide for the organization and regulation of incorporated companies, except banking and insurance companies.

After a short time, said bill was handed in at the Clerk's desk.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

On motion of Mr. Dudley, leave was given to bring in a bill to prevent the owners of distilleries from running slops into Elkhorn creek.

Said leave was referred to the Committee on the Judiciary.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Leslie, from the Committee on Finance—

A bill concerning the police court of Glasgow, in Barren county.

By same—

A bill to incorporate the Washington Park Association.

By Mr. W. J. Worthington, from the Committee on Agriculture and Manufactures—

A bill to amend chapter 15, Revised Statutes, title "Citizens, Expatriation, and Aliens."

By Mr. Cooke, from the Committee on the Judiciary—

A bill for the benefit of the Southern Mutual Life Insurance Company, of Kentucky.

By same—

A bill to amend the charter of the Brooksville and Rock Point turnpike road company.

By Mr. Lindsay, from the Committee on County Courts—

A bill for the benefit of Fleming county.

By Mr. Swigert, from the Committee on Internal Improvement—

A bill to amend the charter of the Danville and McMinnville railroad company.

By same—

A bill to amend an act incorporating the Columbia and Burksville turnpike road company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. W. J. Worthington, from the Committee on Agriculture and Manufactures, reported the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor is hereby authorized to appoint a foreign im migration and land agent for this State, but without salary or payment otherwise than such agent can make by private business in selling lands and furnishing labor for the citizens of Kentucky, the object of this resolution being to confer some advantage in conducting that business; but such agent shall have no power to incur any responsibility for the State or of the State Treasury.

Mr. Alexander moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chandler and Alexander, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	Wm. A. Dudley,	I. A. Spalding,
Jos. M. Alexander,	Joseph Gardner,	Oscar Turner,
Tho. P. Cardwell,	O. P. Johnson,	A. C. Vallandingham,
John B. Clarke,	P. H. Leslie,	Ben. J. Webb,
Lyttleton Cooke,	W. Lindsay,	I. C. Winfrey—17.
A. D. Cosby,	W. H. Payne,	

Those who voted in the negative, were—

F. M. Allison,	Joseph H. Chandler,	E. D. Standeford,
Robert Boyd,	A. H. Field,	Harrison Thompson,
A. K. Bradley,	Henry C. Lilly,	W. L. Vories,
John B. Bruner,	I. T. Martin,	W. J. Worthington—12.

Mr. Gardner moved to reconsider the vote by which said resolution had been laid upon the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Carlisle then moved to amend said resolution as follows, viz:

After the word "appoint," and before the letter "a," insert the words "by and with the advice and consent of the Senate."

Which was adopted.

Mr. Standeford moved to amend the resolution as follows, viz:

Line two, strike out the letter "a," before the word "foreign," and insert the word "three," and to the word "agent" add the letter "s;" also, after the word "State," and before the word "but," "one of whom shall be a German, one an Irishman, and one a Scotchman."

Mr. Turner then moved to amend the amendment proposed by Mr. Standeford as follows, viz:

Strike out the word "three," and insert in lieu thereof the word "four," and after the word "Scotchman," add the words "and one of whom shall be a Frenchman."

Which was adopted.

The yeas and nays being required thereon by Messrs. Dudley and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	E. D. Standeford,
John G. Carlisle,	Wm. A. Dudley,	Oscar Turner,
John B. Clarke,	A. H. Field,	Ben. J. Webb,
Lyttleton Cooke,	I. A. Spalding,	W. J. Worthington—12.

Those who voted in the negative, were—

A. K. Bradley,	P. H. Leslie,	W. L. Vories,
Tho. P. Cardwell,	Henry C. Lilly,	I. C. Winfrey—8.
Joseph Gardner,	I. T. Martin,	

The question was then taken on the adoption of the amendment proposed by Mr. Standeford, as amended, and it was decided in the affirmative.

Mr. Lindsay then moved to amend said resolution as follows, viz:

Amend by inserting after the word "State," in the third line, the following: "Under such written instructions, rules and regulations, as he may prescribe for the government of such agents."

Pending the consideration of which, the Senate adjourned.

MONDAY, MARCH 15, 1869.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate of the following titles, viz:

An act to change the time of holding the circuit courts in Todd and Butler counties.

An act furnishing Magoffin county certain books.

An act to pay military claims audited by the Quarter-Master General.

An act to incorporate the Louisville Salt Well Company.

An act to change the location of the Wilderness State road, in Laurel county.

An act for the benefit of Daviess county.

An act to empower the court of claims of Grant county to increase the county levy.

An act to establish an additional justices' district in Adair county.

An act for the benefit of R. B. Gardner.

An act to incorporate the London, Grayson, and Ohio River railroad company.

An act to amend an act, entitled "An act to incorporate the Paducah and McCracken County Agricultural and Mechanical Society," approved February 2d, 1866.

An act to incorporate the Paducah Water-works Company.

An act for the benefit of the town of Greenupsburg.

An act to amend the charter of the Nelson County Agricultural Association.

An act to amend the charter of the Clark County Agricultural Society.

An act to incorporate the Frankfort Flouring Mill Company.

An act to incorporate the Louisville Democrat Company.

An act for the benefit of Breathitt county.

An act act in relation to the town of Lockport.

An act to amend an act, entitled "An act for the benefit of school district No. 5, in Breathitt county," approved March 6, 1867.

An act to incorporate the Louisville Medical Monthly.

An act to change the place of voting in the Sartin precinct, in Barren county, to Cold Spring.

An act for the benefit of McLean county.

An act concerning the jurisdiction of the Barren county court.

An act for the benefit of G. R. Hunt, B. D. West, Lyttleton Cooke, P. H. Leslie, R. Tarvin Baker, W. N. Haldeman, and Howard Todd.

An act to authorize the county court of Boone to incorporate the town of Belleview.

An act to amend an act, entitled "An act to organize Urania school district, in Barren county," approved 20th February, 1869.

An act to incorporate the German Odd Fellows' Mutual Life Assurance Association.

An act to incorporate the Baxter Dispensary, of Louisville.

An act for the benefit of the Hillsboro and Mouth of Fox turnpike company.

An act to authorize the Commissioners of the Sinking Fund to lease the turnpike road leading from Bowling Green to the Simpson county line.

An act more effectually to punish the crime of vagrancy in the city of Lexington.

An act to incorporate the Deposit Bank of Lebanon.

An act in relation to the ferry at Springville, Greenup county.

An act concerning public books and providing for their supply to destitute counties.

An act to prohibit the sale of spirituous liquors in the town of Bremen, in Muhlenburg county.

An act for the benefit of the Southern Mutual Life Insurance Company, of Kentucky.

An act to amend the charter of the Brooksville and Rock Spring turnpike road company.

An act to incorporate the Kenton Furnace Railroad and Manufacturing Company.

An act to incorporate the Henderson and Hartford railroad company.

An act to incorporate the People's Stove, Grate, and Mantel Manufacturing Company, of Louisville.

An act to amend an act to incorporate the Shawneetown and Madisonville railroad company.

An act to incorporate the Louisville, Henderson, and Paducah railroad company.

An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county.

An act for the benefit of school district No. 5, in Nelson county.

An act to reduce into one the several acts concerning the town of Madisonville.

An act to amend an act, entitled "An act to amend the charter of the town of Eminence, in Henry county."

With amendments to the last three named bills.

Which were concurred in.

That they had concurred in the amendments proposed by the Senate to bills from the House of Representatives, of the following titles, viz:

An act to change the name and extend the limits of the town of Berry Station, in Harrison county.

An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river.

An act to incorporate the Guthrie Insurance Company, of Louisville.

That they had passed a bill from the Senate, entitled

An act concerning the Adjutant General.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to discontinue certain voting places in Lewis county.

That they had passed a bill from the Senate, entitled

An act in relation to the Constitutional newspaper.

That they had concurred in a preamble and resolution in relation to Hon. J. F. Bullitt.

That they had passed bills of the following titles, viz:

1. An act regulating the election of directors and officers of turnpike road companies in this Commonwealth.

2. An act exempting persons from serving on juries in certain cases in Kenton county.

3. An act for the appropriation of money.

4. An act to charter a turnpike road from Penick's Station, in Marion county, to Texas, in Washington county.

5. An act to incorporate the Cincinnati, Danville, and Tennessee railroad company.

6. An act to incorporate the Strode's Run and Lashbrooke turnpike road company, in Mason county.

7. An act to amend an act, entitled "An act to incorporate the Upper Blue Lick turnpike road company, in Mason county, approved 11th day of March, 1869

8. An act to construct a turnpike road from Bagdad to Christiansburg, in Shelby county.

9. An act for the benefit of Mason and Clark counties.

10. An act to authorize the town of Poplar Plains to vote a subscription of stock to the Poplar Plains and Plummer's Mill turnpike road company.

11. An act to amend the charter of the Hillsboro and Poplar Plains turnpike road company.

12. An act to establish an additional magistrates' district in Franklin county.

13. An act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county.

14. An act for the benefit of J. J. Thomas, late clerk of the Campbell county court, and his sureties.

15. An act for the benefit of the counties of Magoffin and Greenup.

16. An act for the benefit of D. R. Macinny, of Estill county.

17. An act incorporating the Farmer's Store and Lane's Mill turnpike road company.

18. An act to re-enact and amend an act, entitled "An act to incorporate the Hancock Pond Draining Company, and amend the charter of the Jefferson Pond Draining Company."

19. An act to empower the Hart county court to sell or lease portions of the public square or grounds in Munfordsville.

20. An act for the benefit of common schools in Henry county.

21. An act to authorize the establishment of a ferry across the Kentucky river above Cedar Dam, in Owen county.

22. An act to require the Auditor to cause sheriffs to give good and sufficient bond for the collection of the revenue.

23. An act to incorporate the Louisville Redistilling Company.

24. An act to amend the charter of the city of Louisville.

25 An act to incorporate the Cumberland Lumber and Manufacturing Company.

26. An act to revive an act, entitled "An act to charter the Louisville Building Association, of Louisville," approved January 29, 1867.

27. An act to amend the charter of the Louisville and Salt River turnpike road company.

28. An act for the benefit of the Twelve Mile turnpike road company, in Campbell county.

29. An act to amend an act incorporating the Danville and Pleasant Hill turnpike road company.

30. An act to amend an act, entitled "An act to incorporate the Mechanics' Co-operation and Building Association, of Louisville."

31. An act in relation to the attorneys in this Commonwealth.

32. An act to extend the Mulberry and Consolation turnpike road to John Gale's, in Shelby county.

33 An act to incorporate the Christiansburg and Demaree's Store turnpike road company.

34. An act to incorporate the Covington Temple of Honor and Temperance, No. 3, of Covington.

35. An act to incorporate Lost Fork turnpike road company, in Madison county.

36. An act to amend the charter of the Crooksville and Muddy Creek turnpike road company, in Madison county.

37. An act to amend the charter of the Bank of Bowling Green.

38. An act to investigate the affairs of the Old Bank of Kentucky, and the Bank of the Commonwealth of Kentucky.

39. An act for the benefit of certain justices of the peace in Mason county.

40. An act for the benefit of citizens of McAfee and vicinity.

41. An act to incorporate the Salvisa and McCown's Ferry turnpike road company, in the county of Mercer.

42. An act to incorporate the Forsythe Mill turnpike.

43. An act to extend the corporate limits of the town of Tompkinsville.

44. An act to enable the county court of Robertson to change her road law.

45. An act to establish the criminal court in Robertson county.

46. An act to charter the Bowling Green, Hartford, and Ohio River railroad company.

47. An act to construct a turnpike road from Brook's Station, on the Nashville railroad, in Bullitt county, to Pitt's Point, on Salt river.

48. An act concerning the revenue and Sinking Fund.

49. An act for the benefit of the sheriff of Hancock county.

50. An act to amend chapter 15, title 10, of the Civil Code of Practice.

51. An act for the benefit of Freeman Nicholas and H. P. Brent, of Covington.

52. An act for the benefit of A. C. Cox, late sheriff of Green county.

53. An act abolishing the infliction of stripes as a punishment for offenses in this Commonwealth, and substituting in the place thereof imprisonment at hard labor.

54. An act to incorporate a turnpike road from Durham's Schoolhouse to Parksville, in Boyle county.

55. An act to require county court clerks to add up inventories, appraisement, and sale lists.

56. An act to incorporate the United Fellows, of the city of Louisville.

57. An act to provide for increasing the county levy of Webster county.

58. An act to amend the charter of Jefferson College, at Jeffersontown.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 15th, 18th, 23d, 24th, 26th, 30th, 31st, 45th, 50th, 51st, 53d, 56th, and 57th to the Committee on the Judiciary; the 3d, 14th, 16th, 22d, 48th, 49th, and 52d to the Committee on Finance; the 4th, 5th, 6th, 7th, 8th, 10th, 11th, 12th, 13th, 17th, 21st, 27th, 28th, 29th, 32d, 33d, 34th, 35th, 36th, 41st, 42d, 46th, and 47th to the Committee on Internal Improvement; the 9th, 19th, 39th, 40th, 43d, 44th, and 55th to the Committee on Circuit Courts; the 20th, 54th, and 58th to the Committee on Education; the 25th to the Committee on Agriculture and Manufactures, and the 37th and 38th to the Committee on Banks.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to incorporate the St. Louis Mutual Insurance Association, of Louisville.

With an amendment.

That they had adopted resolutions of the following titles, viz:

Resolution in regard to the printing, binding, and distribution of the acts, journals, and documents.

Resolution directing Public Printer to print synopsis of General Acts, &c.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of S. J. Taylor, committee for Wm. Cox;

An act to amend an act approved 9th March, 1867, entitled "An act to incorporate the Bourbon Bank;"

An act for the benefit of the sinking fund commissioners of Hart county;

An act to incorporate the Laboring Man's Loan and Aid Association, of Louisville;

An act incorporating the Kenton County Air-line turnpike company;

An act to incorporate the Star Mining and Manufacturing Company;

An act to amend the charter of the town of Shelby City;

An act to incorporate the Springfield Mutual Insurance Company;

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Elizabethtown;"

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867;

An act to amend an act, entitled "An act to incorporate the Hopkins Mastodon Mining, Iron, and Manufacturing Company;"

An act to change the dividing line between Marion and Washington counties;

An act to explain and amend an act, entitled "An act to extend the boundary line of the city of Louisville," approved 9th March, 1868;

An act for the benefit of Joseph Hickerson, of Fleming county;

An act for the benefit of W. H. Fortson, of McCracken county;

An act for the benefit of A. B. Howard and others, of Harlan county;

An act for the benefit of Richard Herndon, of Knox county;

An act for the benefit of Culvin Sanders and John W. Leathers;

An act to empower the trustees of the Princeton Seminary to sell and convey said property;

An act to provide for paying county court clerks for copying delinquent lists;

An act to amend the charter of the town of Loretto, in Marion county;

An act to punish the malicious cutting of hose;

An act for the benefit of Thomas Cook, late sheriff of Clay county;

An act for the benefit of Eliza J. Speed, Lucy G. Speed, and others;

An act to permit the vending or distribution of bibles, hymn-books, prayer-books, and other religious publications, without license;

An act for the benefit of G. S. Jones, late sheriff of Marshall county;

An act to provide for the sale of the stock of the State of Kentucky in the Louisville and Salt River turnpike road company;

An act for the benefit of common schools in Kentucky;

An act for the benefit of Wm. B. Craddock, former sheriff of Hart county;

An act for the benefit of Jeff. C. Asher, justice of the peace in Caldwell county;

An act for the benefit of Floyd county;

An act for the benefit of Johnson county;

An act to exempt telegraph operators and the employees of telegraph offices from sitting on juries;

An act to amend and reduce into one the several acts in relation to the city of Frankfort;

An act to incorporate the Raccoon Mining and Manufacturing Company;

An act to incorporate Marble City Mining and Manufacturing Company, of Henderson county;

An act to amend and reduce into one the several acts relating to the town of Uniontown;

An act to change the name and extend the limits of the town of Berry's Station, in Harrison county;

An act to incorporate the Hanson Coal Company;

An act to incorporate the Guthrie Insurance Company, of Louisville;

An act for the benefit of John B. Jeup & Co.;

An act for the benefit of Tho. M. Newman;

An act to change the time of holding the Lincoln county court;

An act for the benefit of Woodford county;

An act for the benefit of Zephaniah Meek, of Boyd county;

An act for the benefit of Edward R. Webb, of Johnson county;

An act for the benefit of John Deaton and John Lewis, jr.;

An act in relation to the accounts of the late State Geologist and his assistants;

An act legalizing certain acts of the Mercer county court;

An act to incorporate the Farmers' Protection Association;

An act to fix the time of holding the summer term of certain circuit courts in the seventh judicial district;

An act to authorize the Simpson county court to aid in constructing turnpikes in said county;

An act to authorize the sale and conveyance of certain lands and personalty belonging to the State on Licking river;

An act to amend the laws relating to the Wilderness turnpike road, in Knox county;

An act for the benefit of Wm. P. Johnson, late sheriff of Pike county, and his sureties;

Resolution providing for publication of acts in pamphlet form;

Resolutions in regard to the proposed amendment to the Constitution of the United States;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to abolish the Board of Internal Improvement;

An act to incorporate Calvary Church, in the city of Louisville;

An act to incorporate the Cottage Furnace Iron and Manufacturing Company, in Estill county;

An act to incorporate the Henderson and Hartford railroad company.

An act for the benefit of G. R. Hunt, B. D. West, Lyttleton Cooke, P. H. Leslie, R. Tarvin Baker, W. N. Haldeman, and Howard Todd;

An act to incorporate the Kenton Furnace Railroad and Manufacturing Company;

An act to incorporate the People's Stove, Grate, and Mantel Manufacturing Company, of Louisville;

An act to incorporate the Louisville, Henderson, and Paducah railroad company;

An act to amend an act to incorporate the Shawneetown and Madisonville railroad company;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Maxville, Willisburg, and Louisville turnpike road company.

An act to amend an act to appropriate money to improve the North Fork of the Kentucky river.

An act for the benefit of the town of Franklin.

An act to incorporate the Champion Coal and Towboat Company.

An act to incorporate the Lebanon and Raywick turnpike road company.

An act to incorporate the Hopkinsville Hotel Company.

An act to incorporate the Flemingsburg and Millwood turnpike road company.

An act for the benefit of the mechanics of the counties of Butler and Edmonson.

An act to amend the charter of the town of Russellville.

An act to incorporate the Ladies' Hebrew Benevolent Society.

An act to incorporate the Irvine and Miller's Creek Turnpike and Bridge Company.

An act for the benefit of the German Evangelical Church of Louisville.

An act to charter the Central Express Company.

An act to amend an act, entitled "An act providing for the subscription of stock in railroad companies by the county of Mason."

An act to incorporate the State Fire and Marine Insurance Company, of Kentucky.

An act to incorporate Forest Lodge, No. 308, Free and Accepted Masons.

An act to incorporate the Plain City Woolen Manufacturing Company, at Paducah.

An act for the benefit of the city court clerk of Paducah.

An act, entitled "An act to amend the charter of the town of Slaughtersville."

An act authorizing the trustees of South Carrollton, in Muhlenburg county, to open and close streets and alleys in said town, with the consent of the property-owners.

An act to incorporate the town of Greencastle.

An act to establish an additional voting precinct in the county of Jefferson.

An act to incorporate Paradise Lodge, No. 255, Independent Order of Odd Fellows.

An act to incorporate Christian Church, at Rush Branch, in Lincoln county.

An act to incorporate the Cloverport Printing Company.

An act to amend the charter of the city of Louisville.

An act for the benefit of Rebecca Timmons, widow of John Timmons, deceased.

An act to change the place of voting in precinct No. 6, in Crittenden county.

An act to enlarge the boundary of voting precinct No. 6, in Crittenden county.

An act for the benefit of the Harrodsburg and Cornishville turnpike road company.

An act to revive and amend the charter of the Stanford and Mason's Gap turnpike road company.

An act to enlarge the voting precincts of Mt. Sterling.

An act to amend the charter of the city of Henderson.

An act to prohibit the sale of ardent spirits in Knox county.

An act to amend an act, entitled "An act to incorporate the Mutual Benevolent Police Union, No. 1, of Kentucky."

An act to incorporate the Covington Social Club.

An act to amend an act, entitled "An act to incorporate the Spring Station turnpike road company."

An act for the benefit of George W. Belcher and Wm. Harrold, of Breathitt county.

An act to incorporate the Highland Lodge, No. 71, Independent Order of Odd Fellows, in Uniontown.

An act to incorporate the Cloverport and Rock Lick turnpike road company.

An act to amend the charter of the town of Danville.

An act to charter the Calhoon Mills Company.

An act to incorporate the Montgomery Masonic Temple Company.

An act for the benefit of Dovin Hendron.

An act to incorporate the town of Bremen, in Muhlenburg county.

An act to amend an act, entitled "An act to incorporate the Versailles and McCracken Mill turnpike company."

An act to define the line between magistrates' districts Nos. 1 and 5, in Magoffin county.

An act to amend the charter of the town of Sonora.

An act to charter the Morning View Branch turnpike road company, in Kenton county.

An act to change the line of the Springfield civil district, in Washington county.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution on the death of Hon. James Guthrie.

Which was taken up, twice read, and concurred in.

Whereupon, Messrs. Carlisle, Webb, and Cooke were appointed a committee on the part of the Senate.

A message was also received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to bills from the House of Representatives of the following titles, viz:

An act authorizing the Auditor to sell lands for the non-payment of taxes, and regulate the conveyance, redemption, and recovery thereof.

An act authorizing the trustees of the town of Falmouth to sell certain alleys in said town.

An act to incorporate the Frankfort Fire and Marine Insurance Company.

That they had disagreed to bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of E. R. Price, sheriff of Todd county.

An act to change the time of payment of State revenue into the Treasury, and to amend the revenue laws.

That they had passed bills from the Senate of the following titles, viz:

An act authorizing the trustees of the town of Bowling Green to grant coffee-house license.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act for the benefit of the county courts of Spencer and Bullitt counties.

An act in relation to the stationery furnished members of the General Assembly.

An act to repeal the charters of the Hope and Globe Insurance Companies.

An act to incorporate the Kentucky Cement Company.

An act exempting certain property from taxation.

An act to incorporate the Ballardsville and Christiansburg turnpike company.

An act requiring all railroad companies in this Commonwealth to pay for stock they may negligently kill or damage on said roads.

An act to protect the owners of wood-lands.

An act to amend an act to incorporate the Mt. Carmel and Fox Spring turnpike road company.

An act to incorporate the Gaylord Iron Manufacturing Company.

An act to empower the court of claims of Grant county to increase the county levy.

An act to incorporate the German Working Men's Benevolent Society, of Dayton.

An act to extend the provisions of an act, entitled "An act to regulate partnership fences in Clark county," to Montgomery county.

Mr. Martin moved to reconsider the vote by which the Senate had passed a bill from the House of Representatives, entitled

An act for the benefit of turnpike road companies in this Commonwealth in which the State owns stock in the counties of Kenton, Shelby, and Jefferson.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the Committee on the Judiciary.

Mr. Lilly moved to reconsider the vote by which the Senate had disagreed to the passage of a bill from the House of Representatives, entitled

An act to authorize John Friend, jailer of Floyd county, to appoint a deputy.

Which vote was reconsidered.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the appropriation of money.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Turner moved that said bill be referred to the Committee on Finance.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Martin, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. D. Cosby,	W. Lindsay,
Robert Boyd,	A. H. Field,	Philip Swigert,
John B. Bruner,	P. H. Leslie,	Oscar Turner,
Jos. H. Chandler,	Henry C. Lilly,	I. C. Winfrey—13.
Lyttleton Cooke,		

Those who voted in the negative, were—

A. K. Bradley,	I. T. Martin,	Harrison Thompson,
John G. Carlisle,	W. H. Payne,	A. C. Vallandingham,
John B. Clarke,	I. A. Spalding,	W. L. Vories—11.
Joseph Gardner,	E. D. Standeford,	

The Senate took up for consideration a bill from the House of Representatives, entitled.

An act authorizing the Auditor to sell lands for the non-payment of taxes, and regulate the conveyance, redemption, and recovery thereof.

Said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cooke, from the Committee on the Judiciary—

An act in relation to the office of examiners, and depositions heretofore taken by examiners.

By same—

An act to amend the charter of the city of Louisville.

By same—

An act to amend the charter of the Kentucky Company.

By same—

An act to amend chapter 55 of the Revised Statutes, in reference to jury commissioners, and the mode of selecting grand and petit jurors in the Jefferson circuit court and the Jefferson court of common pleas.

By same—

An act to incorporate the Louisville and Jeffersonville Ferry Company.

By Mr. Turner, from the same committee—

An act to amend the several acts incorporating the town of Falmouth.

By same—

An act to incorporate the Young Men's Sodality, B. V. M., of the Church of Immaculate Conception, at Newport.

By same—

An act to incorporate the Ohev Sholem congregation in the city of Paducah.

By same—

An act to incorporate the town of Fredonia.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to authorize the trustees of Hardinsville to grant John M. Lucas license to keep tavern.

By same—

An act to amend the charter of the city of Ludlow.

By same—

An act for the benefit of Freeman Nichols and H. T. Brent, of Covington.

By same—

An act to amend the charter of the city of Newport.

By same—

An act exempting persons from serving on juries in certain cases in Kenton county.

By same—

An act authorizing circuit and chancery courts to appoint commissioners to relinquish the dower of married women when confirmed lunatics or insane.

By Mr. Bruner, from the Committee on Revised Statutes—

An act to amend an act, entitled "An act to amend section 4, article 2, chapter 83, Revised Statutes."

By Mr. Standeford, from the Committee on Internal Improvement—

An act to incorporate the Lost Fork turnpike road company, in Madison county.

By same—

An act to amend the charter of the Crooksville and Muddy Creek turnpike road company, in Madison county.

By same—

An act to authorize the establishment of a ferry across the Kentucky river above Cedar Dam, in Owen county.

By same—

An act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county.

By Mr. Carlisle, from the Committee on the Judiciary—

An act to create the office of deputy constable in the 2d district of Covington.

By same—

An act to amend the law authorizing the recording of deeds and mortgages in the county court clerk's office at the city of Newport.

By same—

An act for the benefit of the counties of Magoffin and Greenup.

By same—

An act to provide for increasing the county levy of Webster county.

By same—

An act to incorporate the Strode's Run and Lashbrooke turnpike road company, in Mason county.

By same—

An act to amend an act, entitled "An act to incorporate the Upper Blue Lick turnpike road company, in Mason county," approved 11th of March, 1869.

By same—

An act to amend chapter 15, title 10, of the Civil Code of Practice.

By Mr. Martin, from the Committee on Religion—

An act to incorporate the Beaver Dam Baptist Church, in Ohio county.

By same—

An act to amend an act for the benefit of the Jeptha Christian Church, in Shelby county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the charter of the Masonic Fraternity of Louisville," approved February 2d, 1860,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868–9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swigert and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Lyttleton Cooke,	Philip Swigert,
John B. Bruner,	A. D. Cosby,	H. Thompson,
Jno. G. Carlisle,	P. H. Leslie,	Oscar Turner,
Joseph H. Chandler,	John W. F. Parker,	Ben. J. Webb,
John B. Clarke,	I. A. Spalding,	I. C. Winfrey—15.

Those who voted in the negative, were—

F. M. Allison,	I. T. Martin,	A. C. Vallandingham,
A. K. Bradley,	W. H. Payne,	W. L. Vories—6.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Chandler, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Kentucky Cement Company.

By same—

A bill for the benefit of Horace S. Gaar, of Jefferson county.

By Mr. Carlisle, from the Committee on the Judiciary—

A bill to amend the charter of the town of Covington.

By same—

A bill to amend the charter of the Bank Lick and Lexington Road Junction turnpike company.

By same—

A bill to punish certain misdemeanors in Kenton county.

By Mr. Standeford, from the Committee on Internal Improvement—

A bill to incorporate the Red River Forge Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Payne, from the Committee on Interal Improvement, reported a bill to incorporate the Danville, Campbellsville, Greensburg, Glasgow, and Bowling Green railroad company.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Swigert moved to amend said bill.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swigert and Payne, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	W. H. Payne,
Jos. M. Alexander,	A. H. Field,	E. D. Standeford,
A. K. Bradley,	Joseph Gardner,	H. Thompson,
John G. Carlisle,	P. H. Leslie,	A. C. Vallandingham,
John B. Clarke,	I. T. Martin,	Ben. J. Webb—16.
Lyttleton Cooke,		

Those who voted in the negative, were—

John B. Bruner,	Henry C. Lilly,	Philip Swigert—5.
Tho. P. Cardwell,	I. A. Spalding,	

Mr. Carlisle, from the Committee on the Judiciary, to whom had been referred a bill from the House of Representatives, entitled

An act to furnish weights, measures, and balances for the counties of Ohio and Washington,

Reported the same with an amendment.

Which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read,

An act to furnish weights, measures, and balances for the counties of Ohio, Washington, and Harrison.

The Senate took up for consideration bills from the House of Representatives of the following titles, viz:

An act for the benefit of the sheriff of Hancock county.

An act to authorize the taking of depositions in certain cases in the Washington circuit court.

An act to amend the charter of the Russellville District turnpike road company.

An act in relation to the office of examiner and depositions heretofore taken by examiners.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act concerning the revenue and Sinking Fund,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[*For bill—see Session Acts*, 1868-9.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. H. Field,	Philip Swigert,
Jos. M. Alexander,	Joseph Gardner,	Harrison Thompson,
Tho. P. Cardwell,	I. T. Martin,	A. C. Vallandingham,
John G. Carlisle,	W. H. Payne,	W. L. Vories,
John B. Clarke,	I. A. Spalding,	Ben. J. Webb—17.
Lyttleton Cooke,	E. D. Standeford,	

Those who voted in the negative, were—

A. K. Bradley,	Henry C. Lilly,	Oscar Turner,
John B. Bruner,	Jno. W. F. Parker,	W. J. Worthington—7.
P. H. Leslie,		

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the advertisement of sheriff's and marshal's sales in the city of Louisville and Jefferson county.

An act in relation to certain town lots in the town of Morganfield.

An act for the benefit of Maria Moore, of Larue county.

An act for the benefit of T. M. Conditt, of McLean county.

An act for the benefit of Tho. L. Floyd, late sheriff of Spencer county.

An act for the benefit of Wm. J. Ashcraft, &c.

An act for the relief of the sureties of Jas. Bartley, late sheriff of Monroe county.

An act for the benefit of Thos. G. Poor, trustee of the jury fund for Hickman county.

An act to authorize the Auditor to employ counsel for the State.

An act for the benefit of R. L. Cooper, John Salyers, and James Howard, securities of W. J. Coffee, late sheriff of Magoffin county.

An act for the benefit of Jas. W. Linden, sheriff of Breathitt county.

An act for the benefit of Samuel Ellis, sheriff of Lewis county.

An act for the benefit of A. G. Coffey, John Johnson, and others.

An act for the benefit of A. C. Cox, of Green county.

An act for the benefit of Robt. Riddle, jr.

An act to amend the charter of the Cairo Junction railroad company.

An act for the benefit of Mrs. Julia Brann, of Webster county.

An act to revive and amend an act for the benefit of G. J. Cundiff, surety of J. B McWhorter, approved February 5, 1867.

An act to amend the revenue laws.

An act for the benefit of Jordan Neal and his securities as late sheriff of Estill county.

An act for the benefit of Wm. O. Newman, &c.

An act for the benefit of Wm. Wilson, late sheriff of Union county.

An act to repeal section 2 of an act to amend an act to charter the Columbia and Burksville turnpike road company.

An act for the benefit of C. S. Green.

An act to establish a ferry opposite Caledonia, Illinois.

An act to increase the resources of the sinking fund of the city of Louisville.

An act to incorporate Calvary Church, in the city of Louisville.

An act to abolish the Board of Internal Improvement.

An act for the benefit of the Mississippi Valley Life Insurance Company, of Covington.

Mr. Carlisle, from the Committee on the Judiciary, to whom was referred a bill to amend an act, entitled "An act to prohibit the carrying of concealed deadly weapons,"

Reported the same, with the expression of opinion that said bill ought not to pass.

Ordered, That said bill be read a third time, the opinion of the committee to the contrary notwithstanding.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Carlisle, were as follows, viz:

Those who voted in the affirmative, were—

Tho. P. Cardwell,	P. H. Leslie,	I. C. Winfrey,
Joseph Gardner,	W. L. Vories,	W. J. Worthington—6.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	I. A. Spalding,
F. M. Allison,	Lyttleton Cooke,	E. D. Standeford,
A. K. Bradley,	A. H. Field,	Philip Swigert,
John B. Bruner,	Henry C. Lilly,	A. C. Vallandingham,
John G. Carlisle,	I. T Martin,	Ben. J. Webb—17.
Joseph H. Chandler,	W. H. Payne,	

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend the charter of Clayvillage.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the following bills, viz:

A bill requiring the publication of list of uncalled for balances on deposit in the hands or under control of banks, corporations, or commissioners or receivers of courts.

A bill in relation to the assessment and payment of taxes in this Commonwealth.

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Samuels, Assistant Secretary of State.

The rule of the Senate being dispensed with, said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., March 15, 1869.

Gentlemen of the Senate:

I hereby nominate for your advice and consent the following persons to be Notaries Public for the counties named, viz:

L. L. Teller, of Gallatin county.
P. D. Yeizer, of McCracken county.
Rowan Buchanan, of Jefferson county.

J. W. STEVENSON.

Resolved, That the Senate advise and consent to said appointments.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:

An act for the benefit of C. M. Humston, of Henry county.

An act to incorporate the Deposit Bank of Murray.

An act to restore the old boundary of the district of Highlands, in Campbell county.

An act to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county.

An act to amend an act, entitled "An act to incorporate the Evansville, Henderson, and Nashville railroad company," approved January 27, 1867.

An act concerning the Barren County railroad.

An act for the benefit of the Odd Fellows' Hall, in Newport.

An act to protect the owners of wood-lands.

Mr. Bradley moved to reconsider the vote by which the Senate had concurred in an amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act to reduce into one the several acts concerning the town of Madisonville.

Mr. Leslie, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the appropriation of money,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the following sums of money are hereby appropriated to the following persons, to be paid by the Treasurer, out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor, viz:

§ 2. To the Speaker of the Senate and House of Representatives, ten dollars each per day, during the present session of the General Assembly.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars each per day during the present session of the General Assembly, and the same for fifteen days after the adjournment for preparing the acts for publication.

§ 4. To the Assistant Clerks, each, ten dollars per day during the present session.

§ 5. To the Sergeant-at-Arms of the Senate and House of Representatives, each, eight dollars per day, during the present session.

§ 6. To the Door-keepers of the Senate and House of Representatives, each, eight dollars per day, during the present session.

§ 7. To Isaac Wingate, jr., and D. D. Sublett, Clerks of the Enrolling Committees for the Senate and House of Representatives, six dollars each per day during the present session.

§ 8. To the Pages of the Senate and House of Representatives, two dollars and fifty cents per day, each during the present session.

§ 9. To the Ministers of the Gospel of Frankfort, three hundred and fifty dollars, to be distributed among them by W. N. Robb, Sergeant-at-Arms of the House.

§ 10. To William N. Robb, Sergeant-at-Arms of the House of Representatives, for the benefit of Henry Morton, two dollars and fifty cents per day, and also ten dollars to buy him a coat; and for the benefit of Daniel Morton, two dollars and fifty cents per day, during the present session, for waiting on the House of Representatives.

§ 11. To Howard Todd, Sergeant-at-Arms of the Senate, for the benefit of Lewis Harris, two dollars and fifty cents per day, during the present session, for waiting on the Senate.

§ 12. To Gip. Morton, a man of color, two dollars per day, for waiting on the "back capitol" and clerk room during present session.

§ 13. To the Courier-Journal Company, three hundred and seventy-three dollars and seventy-six cents, for — copies Courier-Journal, furnished Senate and House of Representatives during the present session.

§ 14. To S. I. M. Major, four hundred and sixty-four dollars and seventy cents, for daily Yeoman, furnished Senate and House of Representatives, and for advertising.

§ 15. To A. G. Hodges, eighty-five dollars, for — copies of the Commonwealth, furnished Senate and House of Representatives during the present session, and for advertising proclamations.

§ 16. To the Editor of the Louisville Democrat two hundred dollars, for — copies Democrat, furnished Senate and House of Representatives during the present session.

§ 17. To John M. Helms, three thousand dollars and twenty-five cents, for sundries furnished Senate and House of Representatives.

§ 18. To Samuel C. Bull, nine hundred and eighty-eight dollars and seventy cents, for sundries furnished Senate and House of Representatives during the present session.

§ 19. To John N. Crutcher, one hundred and fifty dollars and fifty cents, for sundries furnished Senate and House of Representatives.

§ 20. To John L. Moore, thirty-seven dollars and fifty-eight cents, for sundries furnished Senate and House of Representatives during the present session.

§ 21. To James A. Hodges & Co., sixty-three dollars and forty-one cents, for sundries furnished the Senate and House of Representatives.

§ 22. To John R. Graham, one hundred and twenty-seven dollars and seventy-five cents, for sundries furnished Senate and House of Representatives during present session.

§ 23. To Rodman & Brothers, one hundred and thirty-five dollars and eighty-six cents, for sundries furnished Senate and House of Representatives.

§ 24. To George W. Miller, sixty-eight dollars and seventy cents, for sundries furnished Senate and House of Representatives.

§ 25. To A. Conery, fifty-six dollars, for sundries furnished Senate and House of Representatives.

§ 26. To Harry I. Todd, one hundred and thirty two dollars and ninety cents, for furniture furnished Senate and House of Representatives.

§ 27. To W. H. Averill, forty-seven dollars and fifty cents, for sundries furnished Senate and House of Representatives during the present session.

§ 74. To Editor of Hickman Courier, for six copies of same, ten dollars.

§ 75. This act to take effect from its passage.

Mr. Boyd moved to amend the fifth section of the bill by striking out "eight dollars," and inserting in lieu thereof the words "six dollars."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bruner and Chandler, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	John B. Bruner,	Henry C. Lilly,
Robert Boyd,	Tho. P. Cardwell,	W. L. Vories,
A. K. Bradley,	P. H. Leslie,	I. C. Winfrey—9.

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Joseph Gardner,	E. D. Standeford,
Jno. G. Carlisle,	I. T. Martin,	Philip Swigert,
Joseph H. Chandler,	John W. F. Parker,	H. Thompson,
John B. Clarke,	W. H. Payne,	A. C. Vallandingham,
A. D. Cosby,	I. A. Spalding,	Ben. J. Webb—16.
A. H. Field,		

Mr. Boyd then made the same motion in relation to the sixth section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

F. M. Allison,	A. D. Cosby,	Oscar Turner,
Robert Boyd,	P. H. Leslie,	I. C. Winfrey—8.
John B. Bruner,	John W. F. Parker,	

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	Henry C. Lilly,	Philip Swigert,
A. K. Bradley,	I. T. Martin,	H. Thompson,
John G. Carlisle,	W. H. Payne,	A. C. Vallandingham,
Jos. H. Chandler,	I. A. Spalding,	W. L. Vories,
A. H. Field,	E. D. Standeford,	Ben. J. Webb—16.
Joseph Gardner,		

Mr. Vallandingham then moved to amend the seventh section as follows: Strike out "six," and insert "eight."

And the question being taken thereon, it was decided in the affirmative.

Mr. Field then moved to add to the eighth section the following: "And to Ham Pope Hawkins one hundred dollars, for extra services as page of the Senate."

Which was adopted.

It was then moved to amend the eleventh section by adding thereto the following: "And to Lewis Harris the sum of ten dollars, to buy himself a coat."

Which was adopted.

Mr. Lilly then moved to strike out the forty-eighth section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boyd and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd,	Henry C. Lilly,	Jno. W. F. Parker—4.
John B. Bruner,		

Those who voted in the negative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	E. D. Standeford,
A. K. Bradley,	A. H. Field,	Philip Swigert,
John G. Carlisle,	Joseph Gardner,	Harrison Thompson,
Jos. H. Chandler,	P. H. Leslie,	Oscar Turner,
John B. Clarke,	I. T. Martin,	A. C. Vallandingham,
Lyttleton Cooke,	W. H. Payne,	Ben. J. Webb—18.

Mr. Lilly then moved to amend the bill by adding thereto the following additional section, viz:

§ 76. The Auditor of Public Accounts shall not pay any part of the amounts appropriated in sections 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 29, 30, 31, 45, and 55, until the persons to whom said appropriations are made shall have filed in his office a bill of items, sworn to by the claimants respectively.

Mr. Vallandingham then moved to amend the amendment proposed by Mr. Lilly as follows, viz:

That each Senator and Representative shall go before the Auditor of Public Accounts and make oath to the amount of stationery he has received, and name every article, of whatever sort, name, or kind, and the intrinsic worth of each article received.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lilly and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	John B. Clarke,	John W. F. Parker,
Robert Boyd,	Lyttleton Cooke,	W. H. Payne,

A. K. Bradley, P. H. Leslie, E. D. Standeford,
John B. Bruner, Henry C. Lilly, A. C. Vallandingham,
John G. Carlisle, I. T. Martin, H. Thompson—16.
Jos. H. Chandler,

Those who voted in the negative, were—

A. D. Cosby, Joseph Gardner, Philip Swigert—4.
A. H. Field,

The question was then taken on the adoption of the amendment as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lilly and Bruner, were as follows, viz:

Those who voted in the affirmative, were—

Robert Boyd, P. H. Leslie, John W. F. Parker—5.
John B. Bruner, Henry C. Lilly,

Those who voted in the negative, were—

Mr. SPEAKER (Johnson), A. D. Cosby, Philip Swigert,
A. K. Bradley, A. H. Field, Harrison Thompson,
John G. Carlisle, I. T. Martin, A. C. Vallandingham,
Jos. H. Chandler, W. H. Payne, Ben. J. Webb,
John B. Clarke, E. D. Standeford, I. C. Winfrey—16.
Lyttleton Cooke,

Mr. Turner then moved to amend the third section of the bill as follows, viz:

Strike out "ten dollars," and insert in lieu thereof the words "twelve dollars."

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jos. M. Alexander, A. D. Cosby, E. D. Standeford,
A. K. Bradley, Joseph Gardner, Philip Swigert,
Tho. P. Cardwell, P. H. Leslie, H. Thompson,
John G. Carlisle, I. T. Martin, A. C. Vallandingham,
John B. Clarke, W. H. Payne, W. L. Vories—17.
Lyttleton Cooke, I. A. Spalding,

Those who voted in the negative, were—

John B. Bruner, A. H. Field, John W. F. Parker—3.

So said bill was disagreed to.

Mr. Martin then moved a suspension of the twenty-sixth rule of the Senate.

And the question being taken thereon, it was decided in the affirmative.

Mr. Field then moved a reconsideration of the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	A. D. Cosby,	Philip Swigert,
Jos. M. Alexander,	A. H. Field,	Harrison Thompson,
A. K. Bradley,	Joseph Gardner,	Oscar Turner,
Tho. P. Cardwell,	I. T. Martin,	A. C. Vallandingham,
John G. Carlisle,	W. H. Payne,	W. L. Vories,
John B. Clarke,	I. A. Spalding,	Ben. J. Webb—20.
Lyttleton Cooke,	E. D. Standeford,	

Those who voted in the negative, were—

John B. Bruner,	Henry C. Lilly,	W. J. Worthington—5.
P. H. Leslie,	John W. F. Parker,	

Resolved, That the title of said bill be as aforesaid.

Mr. Martin moved the following resolution, viz:

Resolved, That the Public Printer be directed to mail to the members of the Senate, postage paid, the residue of the sheets of the Journals of the Senate and House of Representatives, which have not been distributed.

Which was adopted.

Mr. Martin then moved the following resolution, viz:

Resolved, That hereafter, the Sergeant-at-Arms of the Senate shall be allowed to employ but two pages to assist him in the discharge of his duties.

Which was adopted.

Mr. Martin, from the Committee on the Penitentiary, to whom was referred a resolution from the House of Representatives, entitled

Resolution to appoint visitors to visit foreign prisons,

Reported the same without amendment.

On motion of Mr. Bradley, the resolution was amended by limiting the amount to be expended in such visits to the sum of three hundred dollars.

The question was then taken on concurring in the adoption of said resolution as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bruner and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Mr. SPEAKER (Johnson),	I. T. Martin,	Harrison Thompson,
Jno. G. Carlisle,	I. A. Spalding,	W. L. Vories,
John B. Clarke,	E. D. Standeford,	Ben. J. Webb,
Lyttleton Cooke,	Philip Swigert,	W. J. Worthington—13.
Joseph Gardner,		

Those who voted in the negative, were—

A. K. Bradley,	A. D. Cosby,	Henry C. Lilly,
John B. Bruner,	A. H. Field,	A. C. Vallandingham,
Tho. P. Cardwell,	P. H. Leslie,	W. H. Payne—9.

Resolved, That the title of said resolution be as aforesaid.

Mr. Cooke, from a select committee appointed to rearrange the committees of the Senate, made the following report, viz:

SUBSTITUTE FOR SENATE RULE No. 13.

The following Standing Committees, to be composed of five members each, shall be appointed by the Speaker, or elected by the Senate, at the commencement of each session of the General Assembly, viz:

1. A Committee on Agriculture and Manufactures:—who are to take into consideration all matters relating to the condition and improvement of the agriculture and manufactures of the Commonwealth, and report their proceedings, together with their opinion, to the Senate.

2. A Committee on Appropriations:—to whom shall be referred all applications involving the appropriations of money from the State Treasury for any public or general purpose, and they shall report their proceedings and opinion thereon to the Senate.

3. A Committee on Banks and Insurance:—to whom shall be referred all matters relating to banks, banking, and insurance, and whose duty it shall be to take into consideration all such matters, and report their proceedings and opinion in reference thereto to the Senate.

4. A Committee on Charitable Institutions:—whose duty it shall be to take under consideration all matters relating to or connected with the charitable institutions of this Commonwealth, and report their proceedings and opinion to the Senate.

5. A Committee on Claims:—whose duty it shall be to investigate all claims and demands against the Commonwealth, and report their proceedings and opinion thereon to the Senate.

6. A Committee on Courts of Justice:—whose duty it shall be to take into consideration all matters relating to or affecting the courts of justice of this Commonwealth, and report their proceedings and opinion to the Senate.

7. A Committee on Education:—whose duty it shall be to take under consideration all matters relating to education and public schools in the Commonwealth, and report their proceedings and opinion in reference thereto to the Senate.

8. A Committee on Executive Affairs:—whose duty it shall be to take under consideration all matters relating to the Executive Department of the Government of the Commonwealth, and report their proceedings and opinion thereon to the Senate.

9. A Committee on Federal Relations:—whose duty it shall be to take under consideration all matters relating to federal relations, and report their proceedings and opinion thereon to the Senate.

10. A Committee on Finance:—whose duty it shall be to take under consideration all matters relating to or affecting the assessment and collection of the revenue and the affairs of revenue officers of the Commonwealth, and report their proceedings and opinion thereon to the Senate.

11. A Committee on Internal Improvement:—whose duty it shall be to take under consideration all matters relating to the public highways and navigable streams of the Commonwealth, and report their proceedings and opinion thereon to the Senate.

12. A Committee on the Judiciary:—who are to take into consideration all matters relating to courts of justice, not herein otherwise provided, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereupon, to the Senate; and are to inspect the Journal of the preceding session, and draw up a statement of the matters then pending and undetermined, and the progress made therein; also to examine what temporary laws have expired since the last session, and inspect such temporary laws as are near expiring, and report the same to the Senate, with their opinion which of them ought to be revived and continued.

13. A Committee on the Library and Public Buildings and Offices: whose duty it shall be to take under consideration all matters relating to the Library and Public Offices and Buildings, and report their proceedings and opinion thereon to the Senate.

14. A Committee on Military Affairs:—whose duty it shall be to take under consideration all matters relating to the militia and military affairs of the Commonwealth, and report their proceedings and opinion to the Senate.

15. A Committee on Penitentiary and House of Reform:—whose duiy it shall be to take under consideration all matters relating to the Penitentiary and House of Reform, and report their proceedings and opinion to the Senate.

16. A Committee on Privileges and Elections:—whose duty it shall be to take under consideration all matters relating to and affecting the election and return of Senators to serve in the General Assembly, and report their proceedings and opinion thereon to the Senate.

17. A Committee on Propositions and Grievances:—whose duty it shall be to take under consideration all propositions and grievances that may be referred to them, and report their proceedings and opinion thereupon to the Senate.

18. A Committee on Railroads:—to whom shall be referred, and whose duty it shall be to consider, all matters relating to or affecting the railroads of this Commonwealth, including the incorporation, organization, and management, of all railroads now or hereafter to be constructed, and report their proceedings and opinion in reference thereto to the Senate.

19. A Committee on Revised Statutes and Codes of Practice:—whose duty it shall be to take under consideration all matters relating to and affecting the Revised Statutes and Codes of Practice, and report their proceedings and opinion to the Senate.

20. A Committee on Religion and Morals:—whose duty it shall be to take under consideration all matters relating to or affecting religion and public morals in the Commonwealth, and report their proceedings and opinion in relation thereto to the Senate.

21. A Committee on the Sinking Fund:—whose duty it shall be to take under consideration all matters relating to or connected with the Sinking Fund, and report their proceedings and opinion in relation thereto to the Senate.

JOINT COMMITTEE.

21. A Committee on Enrollments:—whose duty it shall be to examine and see that all acts and resolutions which shall have passed both Houses of the General Assembly are correctly enrolled, and present the same for the signatures of the respective Speakers.

The question was then taken on the adoption of said report, and it was decided in the affirmative.

Ordered, That said report be printed, and incorporated also in the rules of the Senate in future

And then the Senate adjourned.

TUESDAY, MARCH 16, 1869.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Floral Park Association, of Louisville.

An act to incorporate the Working Men's Mutual Relief Association, of Kentucky.

An act to incorporate Olive Branch Division, No. 21, Sons of Temperance, of Dayton.

An act for the benefit of John C. Howard, late sheriff of Harlan county.

An act to incorporate the Metropolis and Southwestern railroad company.

An act repealing section 2 of an act, entitled "An act in relation to the county lines of Floyd, and Lawrence, and Johnson counties," approved March 1st, 1860.

An act to amend the charter of the town of Crittenden.

An act to amend an act, entitled "An act to incorporate the town of Osceola."

An act to amend the charter of the city of Louisville.

An act appropriating two thousand dollars to remove obstructions out of the Sturgeon Fork of the Kentucky river.

An act for the benefit of the Mt. Sterling and Levee turnpike road company.

An act for the benefit of Joseph Bell, late sheriff of Casey county, and his sureties.

An act for the benefit of John Seaton, late Judge of the Greenup county court.

An act to amend the several acts incorporating the town of Falmouth, in Pendleton county, approved January 31st, 1867.

An act for the benefit of Wm. Carter, of Caldwell county.

An act to change the place of voting in voting precinct No. 6, in Nicholas county.

An act to incorporate the Boone's Knob Monumental Association.

An act to change the county line between Taylor and Green counties.

An act to amend the charter of the Salomon Gas Company.

An act to incorporate Mt. Olivet Lodge, No. 291, Free and Accepted Masons, in Robertson county.

An act to incorporate Crab Orchard Lodge, No. 432, Ancient York Masons.

An act for the benefit of William M. Fulkerson.

An act concerning the Quarter-Master General's office, continuing salary thereof for one year.

An act to amend the charter of the town of Washington, in Mason county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Princeton."

An act to amend an act, entitled "An act for the benefit of persons holding lands lying back of other lands in the vicinity of any of the navigable streams in this State."

An act to amend an act, entitled "An act providing for the levy and collection of a tax to pay the Kenton county bounty fund."

An act to establish a work-house, hospital and pest-house, in the county of Bourbon.

An act to authorize the city of Lexington to subscribe stock in the Maysville and Lexington railroad company, Northern Division.

An act to incorporate the Duncansville and Chaplin turnpike road company.

An act for the benefit of Hibbard Williamson, of Pike county.

An act for the benefit of George Berkemeir, of Campbell county.

An act creating the Mt. Sterling Sentinel a legally authorized newspaper.

An act in regard to the Jefferson Pond Draining Company.

An act to incorporate the Southern Mail Company.

An act authorizing certain officers to reside temporarily at, or in the vicinity of, the Seat of Government, without changing or losing their former legal and permanent residence.

An act to incorporate the Union Bridge Company.

An act to incorporate the Brandenburg and Webster turnpike road company.

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867.

An act to charter the Louisville Rose Pearl Company.

An act to create an additional magistrates' district and voting precinct in Christian county.

An act to incorporate the town of Visalia, in Kenton county.

An act to amend an act, entitled "An act to charter the town of Hiseville, in Barren county," approved March 5th, 1868.

An act to amend the charter of Raywick, in Marion county.

An act to incorporate the Central Savings Bank, of the city of Louisville.

An act to incorporate the Beargrass Beef and Pork Packing and Manufacturing Company.

An act to amend the charter of the town of Woodburn, in Marion county.

An act to incorporate the Danville and McMinnville railroad company.

An act to incorporate the Metropolis and Kentucky Bridge Company.

An act to repeal the charter and amended charter, and incorporate the town of Nicholasville.

An act to amend an act, entitled "An act to incorporate the town of Horse Cave, in Hart county."

An act to incorporate the town of Berlin, in Bracken county.

An act to repeal an act, entitled "An act to prevent the sale of spirituous liquor within one mile of the town of St. Mary's, in Marion county."

An act for the benefit of the city of Louisville.

An act to incorporate the Versailles Mutual Insurance Company.

An act to regulate the granting of coffee-house licenses in the city of Paris.

An act to amend the charter of the McLean County Agricultural and Mechanical Association.

An act to incorporate the town of Salem, in Livingston county.

An act to incorporate the Crooksville and Muddy Creek turnpike road company, in Madison county.

An act to incorporate the Hopkinsville and Nashville Coal Mining Company.

An act to incorporate Muhlenburg Lodge, No. 415, Free and Accepted Ancient York Masons.

An act to charter the Spring Station and Midway turnpike road company.

An act in relation to the sale of ardent spirits in the town of Greenupsburg.

An act to amend the charter of the Southern Life Insurance Company.

An act to incorporate the Versailles and Mt. Vernon turnpike road company.

An act to incorporate the Deposit Bank of Hopkinsville.

An act to incorporate the North Middletown Deposit Bank.

An act to incorporate the Warren Deposit Bank, at Bowling Green.

An act for the benefit of J. W. Atkins.

An act to amend an act, entitled "An act to amend and reduce into one all acts incorporating the Masonic Savings Institution."

An act incorporating the Kenton County Air-Line turnpike company.

An act to explain and amend an act, entitled "An act to extend the boundary line of the city of Louisville," approved March 9th, 1868.

An act to change the dividing line between Marion and Washington counties.

An act for the benefit of Culvin Sanders and J. W. Leathers.

An act for the benefit of W. H. Fortson, of McCracken county.

An act for the benefit of R. H. Shanklin.

An act to permit the vending or distribution of Bibles, hymn-books, prayer-books, and other religious publications, without license.

An act to amend the charter of the town of Loretto, in Marion county.

An act to organize and establish a system of public schools in the city of Henderson.

An act to amend an act, entitled "An act to repeal the charter and re-incorporate the town of Elizabethtown."

An act to provide for paying county court clerks for copying delinquent lists.

An act to punish the malicious cutting of hose.

An act to amend an act, entitled "An act to amend an act to reduce into one the several acts incorporating the town of Flemingsburg," approved March 7th, 1867.

An act to amend the charter of the town of Shelby City.

An act for the benefit of Richard Herndon, of Knox county.

An act for the benefit of the Sinking Fund Commissioners of Hart county.

An act for the benefit of Eliza J. Speed, Lucy G. Speed, and others.

An act to amend an act, entitled "An act to incorporate the Hopkins Mastodon Mining, Iron, and Manufacturing Company."

An act for the benefit of Joseph Hickerson, of Fleming county.

An act for the benefit of Thomas Cook, late sheriff of Clay county.

An act to incorporate the Star Mining and Manufacturing Company.

An act for the benefit of H. B. Howard and others, of Harlan county.

An act to empower the trustees of the Princeton Seminary to sell and convey said property.

An act to incorporate the Springfield Mutual Insurance Company.

An act to amend an act, approved March 9th, 1867, entitled "An act to incorporate the Bourbon Bank."

An act for the benefit of S. J. Taylor, committee for Wm. Cox.

An act to incorporate the Laboring Men's Loan and Aid Association, of Louisville.

Resolution providing for publication of acts in pamphlet form.

Resolution to print Report of Regent of Kentucky University.

Mr. Gardner offered a resolution allowing Isaac Wingate, jr., and D. D. Sublett, each one hundred dollars, for extra services as Clerks of the Enrolling Committees of the two Houses.

Which was adopted.

The Senate took up for consideration resolutions from the House of Representatives of the following titles, viz:

Resolution in regard to the printing, binding, and distribution of the acts, journals, and documents.

Resolution directing Public Printer to print synopsis of General Acts, &c.

Which resolutions were twice read and concurred in.

A message was received from the House of Representatives announcing that they had concurred in the amendment proposed by the Senate to a resolution from the House of Representatives, entitled

Resolution to appoint visitors to foreign prisons.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Carlisle, from the Committee on the Judiciary—

An act to revive an act, entitled "An act to charter the Louisville Building Association, of Louisville," approved January 29, 1867.

By same—

An act to incorporate the Louisville Redistilling Company.

By same—

An act to abolish the criminal court of Robertson county.

By Mr. Standeford, from the Committee on Internal Improvement—

An act to amend the charter of the Louisville and Salt River turnpike road company.

By same—

An act to incorporate the Boyle turnpike road company.

By same—

An act authorizing the Governor to appoint an engineer to survey and examine certain portions of Cumberland river and make report.

By same—

An act to incorporate a turnpike road from Durham's School-house to Parksville, in Boyle county.

By same—

An act to incorporate the Murray and Aurora Gravel Road Company.

By Mr. Webb, from the Committee on Education—

An act to amend the charter of Jefferson College, at Jeffersontown.

By Mr. Leslie, from the Committee on Finance—

An act to require the Auditor to cause sheriffs to give good and sufficient bond for the collection of the revenue.

By same—

An act for the benefit of D. R. Macinny, of Estill county.

By same—

An act for the benefit of A. C. Cox, late sheriff of Green county.

By Mr. Cooke, from the Committee on the Judiciary—

An act to incorporate the United Fellows, of the city of Louisville.

By same—

An act to re-enact and amend an act, entitled "An act to incorporate the Hancock Pond Draining Company, and amend the charter of the Jefferson Pond Draining Company."

By Mr. Swigert, from the Committee on Internal Improvement—

An act to incorporate the Salvisa and McCown's Ferry turnpike road company, in the county of Mercer.

By same—

An act to incorporate the Forsythe Mill turnpike.

By same—

An act incorporating the Farmer's Store and Lane's Mill turnpike road company.

By same—

An act to charter the Bowling Green, Hartford, and Ohio River railroad company.

By Mr. Vories, from the Committee on Agriculture and Manufactures—

An act to incorporate the Cumberland Lumber and Manufacturing Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees directed to prepare and bring in the same, viz:

By Mr. Cooke, from the Committee on the Judiciary—

A bill to incorporate the Louisville Grove, No. 5, Druids.

By same—

A bill to amend the charter of the Louisville Edge-tool Factory.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Samuels, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville, Henderson, and Paducah railroad company.

An act to incorporate the People's Stove, Grate, and Mantel Manufacturing Company, of Louisville.

An act to incorporate the Henderson and Hartford railroad company.

An act for the benefit of G. R. Hunt, B. D. West, Lyttleton Cooke, P. H. Leslie, R. Tarvin Baker, W. N. Haldeman, and Howard Todd.

Mr. Carlisle moved a resolution giving to H. Pope Hawkins one hundred dollars, for extra services rendered as page of the Senate.

Which was adopted.

The Senate took up for consideration a bill to protect manufacturers of mineral waters and other beverages in this Commonwealth.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills from the Senate, of the following titles, viz:

An act to amend the charter of the town of Covington.

An act concerning the police court of Glasgow, in Barren county.

An act for the benefit of C. A. Wandelohr, of Pendleton county.

An act to amend the law in relation to importing Texas cattle in this Commonwealth.

An act to punish certain misdemeanors in Kenton county.

That they had concurred in the resolution in relation to Isaac Wingate, jr., and D. D. Sublett.

That they had adopted a resolution in favor of Gip Morton, a man of color.

Said resolution was taken up, and, on motion, was laid upon the table.

The joint committee of the two Houses, to whom was referred the resolution of the House of Representatives in relation to the death of the Hon. James Guthrie, made the following report, viz:

WHEREAS, The Legislature of Kentucky have heard with deep regret of the death of Hon. James Guthrie, of Louisville, at an advanced age, after a life distinguished by many public trusts of importance, which were discharged with honor to himself and benefit to his country, and consider it proper to testify their respect to his memory; now, therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That James Guthrie, during a long and useful existence as a Representative and Senator of this body; as President of the Convention that framed the present Constitution of this State; as Secretary of the Treasury of the United States; and as a Senator from this State in Congress, displayed great force of character and a strength of intel-

lect equal to the various duties of his active and distinguished public life.

2. *Resolved*, That in private life Mr. Guthrie was remarkable for the fidelity of his friendships; the warmth of his affections; his manly courage; the large social influence exercised by him; and his arduous labors for the advancement of the wealth, learning, and prosperity of his city and his native State.

3. *Resolved*, That these resolutions be spread upon the Journals of the respective Houses, and that His Excellency, the Governor of this Commonwealth, be requested to forward a copy of the same to the family of the deceased.

Which report and resolutions were unanimously adopted.

Mr. Spalding moved the following resolution, viz:

Resolved, That the thanks of the Senate are due, and hereby tendered, to the Speaker, Clerk, Assistant Clerk, Sergeant-at-Arms, Doorkeeper, Reporters, Pages, and Enrolling Clerks, for the ability, impartiality, promptness, and courtesy with which they have discharged the duties of their respective offices.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to the 11th section, and in the 75th, 76th, 77th, 78th, and 79th sections to a bill from the House of Representatives, entitled

An act for the appropriation of money.

And that they had disagreed to all the other amendments proposed by the Senate to said bill.

On motion,

Resolved, That the Senate recede from such proposed amendments to said bill as have been disagreed to by the House of Representatives.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill from the Senate, entitled

An act in relation to the Constitutionalist newspaper.

Which was taken up, twice read, and concurred in.

Mr. Carlisle moved to reconsider the vote by which the Senate had refused to concur in the resolution from the House of Representatives, entitled

Resolution in favor of Gip Morton.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution in favor of Ham. Pope Hawkins.

Mr. Gardner, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Clayvillage;

An act to authorize the taking of depositions in certain cases in the Washington circuit court;

An act to amend the charter of the Elizabethtown and Tennessee railroad company;

An act to authorize the trustees of Hardinsville to grant John M. Lucas license to keep tavern;

An act to create the office of deputy constable in the 2d district of Covington;

An act to amend an act, entitled "An act to amend the charter of the Masonic Fraternity of Louisville," approved February 2d, 1860;

An act authorizing the trustees of the town of Falmouth to sell certain alleys in said town;

An act to amend the charter of West Covington;

An act to incorporate the Kentucky River Transportation Company;

An act to amend the several acts incorporating the town of Falmouth;

An act to incorporate the Frankfort Fire and Marine Insurance Company;

An act for the benefit of school districts Nos. 16 and 19, in the county of Fayette;

An act to authorize John Friend, jailer of Floyd county, to appoint a deputy;

An act for the benefit of the sureties of W. J. Brewer, late sheriff of Henry county;

An act to incorporate the Louisville and Jeffersonville Ferry Company;

An act to incorporate the Warsaw and Ghent turnpike road company.

An act to extend an act of 1867, concerning the Lexington and Big Sandy railroad, Western Division;

An act to incorporate the Boone's Creek turnpike road company;

An act to amend chapter 55 of the Revised Statutes, in reference to jury commissioners, and the mode of selecting grand and petit

jurors in the Jefferson circuit court and the Jefferson court of common pleas;

An act for the incorporation of the Louisville Medico-Chirurgical Society;

An act authorizing the Auditor to sell lands for the non-payment of taxes, and regulate the conveyance, redemption, and recovery thereof;

An act to consolidate common school districts Nos. 16 and 18, in Kenton county;

An act to incorporate the town of Fredonia;

An act to incorporate the Ohev Sholem congregation in the city of Paducah;

An act to amend the charter of the Kentucky Company;

An act concerning the revenue and Sinking Fund;

An act to amend the charter of the city of Ludlow;

An act in relation to the office of examiner and depositions heretofore taken by examiners;

An act for the benefit of Danl. J. Mock, of Washington county;

An act to amend the charter of the city of Newport;

An act to incorporate the Young Men's Sodality, B. V. M., of the Church of Immaculate Conception, at Newport;

An act to incorporate the Strode's Run and Lashbrooke turnpike road company, in Mason county;

An act to amend an act, entitled "An act to incorporate the Upper Blue Lick turnpike road company, in Mason county," approved 11th of March, 1869;

An act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county;

An act regulating the election of directors and officers of turnpike road companies in this Commonwealth;

An act to amend the charter of the city of Louisville;

An act exempting persons from serving on juries in certain cases in Kenton county;

An act for the benefit of the sheriff of Hancock county;

An act for the benefit of Freeman Nichols and H. T. Brent, of Covington;

An act to amend the charter of Jefferson College, at Jeffersontown;

Resolution appointing visitors to foreign prisons;

Resolution directing Public Printer to print synopsis of General Acts;

Resolution in regard to the printing, binding, and distribution of the Acts, Journals, and Documents;

Resolution in relation to the Hon. J. F. Bullitt;

Resolution in favor of Gip Morton;

Resolution in regard to the death of Hon. James Guthrie;

Resolutions on the death of Hon. James Guthrie;

An act to amend an act, entitled "An act to amend section 4, article 2, chapter 83, Revised Statutes;"

An act to amend an act for the benefit of the Jeptha Christian Church, in Shelby county;

An act for the appropriation of money;

An act to incorporate the Beaver Dam Baptist Church, in Ohio county;

An act authorizing the Governor to appoint an engineer to survey and examine certain portions of Cumberland river, and make report;

An act to amend the law authorizing the recording of deeds and mortgages in the county court clerk's office at the city of Newport;

An act for the benefit of the counties of Magoffin and Greenup;

An act for the benefit of D. R. Macinny, of Estill county;

An act incorporating the Farmer's Store and Lane's Mill turnpike road company;

An act to re-enact and amend an act, entitled "An act to incorporate the Hancock Pond Draining Company, and amend the charter of the Jefferson Pond Draining Company;"

An act to authorize the establishment of a ferry across the Kentucky river above Cedar Dam, in Owen county;

An act to require the Auditor to cause sheriffs to give good and sufficient bond for the collection of the revenue;

An act to amend the charter of the Louisville and Salt River turnpike road company;

An act to incorporate Lost Fork turnpike road company, in Madison county;

An act to amend the charter of the Crooksville and Muddy Creek turnpike road company, in Madison county;

An act to incorporate the Salvisa and McCown's Ferry turnpike road company, in the county of Mercer;

An act to incorporate the Forsyth Mill turnpike road;

An act to charter the Bowling Green, Hartford, and Ohio River railroad company;

An act for the benefit of Messrs. Greenup & Alley;

An act to incorporate a turnpike road from Durham's School-house to Parksville, in Boyle county;

An act to amend chapter 15, title 10, of the Civil Code of Practice;

An act to incorporate the United Fellows, of the city of Louisville;

An act to provide for increasing the county levy of Webster county;

An act for the benefit of A. C. Cox, late sheriff of Green county;

An act to incorporate the Boyle turnpike road company;

An act to incorporate the Murray and Aurora Gravel Road Company;

An act to revive an act, entitled "An act to charter the Louisville Building Association, of Louisville," approved January 29, 1867;

An act to incorporate the Louisville Redistilling Company;

An act to incorporate the Cumberland Lumber and Manufacturing Company;

An act to abolish the criminal court in Robertson county;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act in relation to the stationery furnished members of the General Assembly;

An act to change the time of holding the circuit courts in Todd and Butler counties;

An act to protect the owners of wood-lands;

An act requiring railroad companies in this Commonwealth to pay for stock they negligently kill or damage on said roads;

An act furnishing Magoffin county certain books;

An act to pay military claims audited by the Quarter-Master General;

An act to incorporate the Louisville Salt Well Company;

An act to change the location of the Wilderness State road, in Laurel county;

An act for the benefit of the county courts of Spencer and Bullitt counties;

An act for the benefit of Daviess county;

An act to amend the charter of the town of Brooksville, in Bracken county;

An act to amend an act to incorporate the Mt. Carmel and Fox Spring turnpike road company;

An act to empower the court of claims of Grant county to increase the county levy;

An act to establish an additional justices' district in Adair county;

An act for the benefit of R. B. Gardner;

An act exempting certain property from taxation;

An act to incorporate the London, Grayson, and Ohio River railroad company;

An act to incorporate the Gaylord Iron Manufacturing Company;

An act to incorporate the Ballardsville and Christiansburg turnpike company;

An act to incorporate the Augusta and Berlin turnpike road company;

An act to amend an act, entitled "An act to incorporate the Paducah and McCracken County Agricultural and Mechanical Society," approved February 2d, 1866;

An act to incorporate the Paducah Water-works Company;

An act for the benefit of the town of Greenupsburg;

An act to amend the charter of the Nelson County Agricultural Association;

An act to amend the charter of the Clark County Agricultural Society;

An act to incorporate the Frankfort Flouring Mill Company;

An act to incorporate the Louisville Democrat Company;

An act for the benefit of Breathitt county;

An act act in relation to the town of Lockport;

An act to amend an act, entitled "An act for the benefit of school district No. 5, in Breathitt county," approved March 6, 1867;

An act to incorporate the Louisville Medical Monthly;

An act to change the place of voting in the Sartin precinct, in Barren county, to Cold Spring;

An act for the benefit of McLean county;

An act concerning the jurisdiction of the Barren county court;

An act to authorize the county court of Boone to incorporate the town of Belleview;

An act concerning the Adjutant General;

An act to amend an act, entitled "An act to organize Urania school district, in Barren county," approved 20th February, 1869;

An act to incorporate the German Odd Fellows' Mutual Life Assurance Association;

An act to incorporate the Baxter Dispensary, of Louisville;

An act for the benefit of the Hillsboro and Mouth of Fox turnpike company;

An act more effectually to punish the crime of vagrancy in the city of Lexington;

An act to incorporate the German Working Men's Benevolent Society, of Dayton;

An act authorizing the trustees of the town of Bowling Green to grant coffee-house license;

An act to repeal the charters of the Hope and Globe Insurance Companies;

An act to authorize the Commissioners of the Sinking Fund to lease the turnpike road leading from Bowling Green to the Simpson county line;

An act to incorporate the Deposit Bank of Lebanon;

An act in relation to the ferry at Springville, Greenup county;

An act to extend the provisions of an act, entitled "An act to regulate partnership fences in Clark county," to Montgomery county;

An act concerning public books and providing for their supply to destitute counties;

An act to prohibit the sale of spirituous liquors in the town of Bremen, in Muhlenburg county;

An act for the benefit of the Southern Mutual Life Insurance Company, of Kentucky;

An act to amend the charter of the Brooksville and Rock Spring turnpike road company;

An act to incorporate the Kentucky Cement Company;

An act for the benefit of C. M. Humston, of Henry county;

An act to amend an act, entitled "An act to incorporate the Evansville, Henderson, and Nashville railroad company," approved January 27, 1867;

An act to authorize the Auditor of Public Accounts to compromise certain demands in favor of the Commonwealth;

An act to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county;

An act for the benefit of C. A. Wandelohr, of Pendleton county;

An act to incorporate the Deposit Bank of Murray;

An act to amend an act, entitled "An act to amend the charter of the town of Eminence, in Henry county;"

An act to amend the law in relation to importing Texas cattle in this Commonwealth;

An act concerning the police court of Glasgow, in Barren county;

An act to amend the charter of the town of Covington;

An act to punish certain misdemeanors in Kenton county;

An act to restore the old boundary of the district of Highlands, in Campbell county;

An act concerning the Barren County railroad;

An act for the benefit of school district No. 5, in Nelson county;

An act in relation to the Constitutionalist newspaper;

Resolution in favor of Isaac Wingate, jr.;

Resolution for the benefit of D. D. Sublett;

Resolution for the benefit of H. Pope Hawkins;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Gardner reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Marble City Mining and Manufacturing Company, of Henderson county.

An act for the benefit of G. S. Jones, late sheriff of Marshall county.

An act to fix the time of holding the summer term of certain circuit courts in the 7th judicial district.

An act for the benefit of Johnson county.

An act for the benefit of Jeff C. Asher, justice of the peace in Caldwell county.

An act for the benefit of John B. Jeup & Co.

An act for the benefit of Thomas M. Newman.

An act legalizing certain acts of the Mercer county court.

An act for the benefit of Woodford county.

An act to exempt telegraph operators, and employees of telegraph offices, from sitting on juries.

An act to change the time of holding the Lincoln county court.

An act to authorize the sale and conveyance of certain lands and personalty belonging to the State, on Licking river.

An act to incorporate the Hanson Coal Company.

An act to incorporate the Farmers' Protective Association.

An act for the benefit of William B. Craddock, former sheriff of Hart county.

An act to provide for the sale of the stock of the State of Kentucky in the Louisville and Salt River turnpike road company.

An act for the benefit of John Deaton and John Lewis, jr.

An act to authorize the Simpson county court to aid in constructing turnpikes in said county.

An act for the benefit of common schools in Kentucky.

An act in relation to the accounts of the late State Geologist and his assistants.

An act for the benefit of Floyd county.

An act for the benefit of Edward R. Webb, of Johnson county.

An act for the benefit of Wm. P. Johnson, late sheriff of Pike county, and his sureties.

An act to change the name and extend the limits of the town of Berry Station, in Harrison county.

An act for the benefit of Zephaniah Meek, of Boyd county.

An act to incorporate the Guthrie Insurance Company, of Louisville.

An act for the benefit of Daniel J. Mock, of Washington county.

An act in relation to the office of examiner, and depositions heretofore taken by examiners.

An act to amend and reduce into one the several acts in relation to the city of Frankfort.

An act to amend an act, entitled "An act to amend the charter of the Masonic Fraternity of Louisville," approved February 2, 1860.

An act to authorize the taking of depositions in certain cases in the Washington circuit court.

An act to incorporate the Frankfort Fire and Marine Insurance Company.

An act to consolidate common school districts Nos. 16 and 18, in Kenton county.

An act for the benefit of school districts Nos. 16 and 19, in the county of Fayette.

An act to extend an act of 1867, concerning the Lexington and Big Sandy railroad, Western Division.

An act to incorporate the town of Fredonia.

An act for the benefit of the sureties of W. J. Brewer, late sheriff of Henry county.

An act to incorporate the Warsaw and Ghent turnpike road company.

An act for the benefit of the sheriff of Hancock county.

An act authorizing circuit and chancery courts to appoint commissioner to relinquish the dower of married women when confirmed lunatics or insane.

An act to incorporate the Young Men's Sodality of B. V. M., Church of Immaculate Conception, at Newport.

An act for the benefit of Freeman Nichols and H. T. Brent, of Covington.

An act to amend the charter of the city of Louisville.

An act to amend the charter of Clayvillage.

An act to amend the several acts incorporating the town of Falmouth.

An act to authorize the trustees of Hardinsville to grant John M. Lucas license to keep tavern.

An act to amend the charter of the Elizabethtown and Tennessee railroad company.

An act to amend chapter 55 of the Revised Statutes, in reference to jury commissioners, and mode of selecting grand and petit jurors in the Jefferson circuit court and the Jefferson court of common pleas.

An act to incorporate the Kentucky River Transportation Company.

An act to incorporate the Boone's Creek turnpike road company.

An act to authorize John Friend, jailer of Floyd county, to appoint a deputy.

An act to incorporate the Ohev Sholem Congregation, in the city of Paducah.

An act for the incorporation of the Louisville Medico-Chirurgical Society.

An act to amend the charter of Jefferson College, at Jeffersontown.

An act to amend the charter of the city of Ludlow.

An act to amend an act, entitled "An act to incorporate the Upper Blue Lick turnpike road company, in Mason county," approved 11th day of March, 1867.

An act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county.

An act concerning the Revenue and Sinking Fund.

An act authorizing the trustees of the town of Falmouth to sell certain alleys in said town.

An act regulating the election of directors and other officers of turnpike road companies in this Commonwealth.

An act authorizing the Auditor to sell lands for the non-payment of taxes, and regulate the conveyance, redemption, and recovery thereof.

An act to amend the charter of the Kentucky Company.

An act to create the office of deputy constable in the second district in Covington.

An act to amend the charter of the city of Newport.

An act to incorporate the Louisville and Jeffersonville Ferry Company..

An act to incorporate the Strode's Run and Lashbrooke turnpike road company, in Mason county.

An act for the appropriation of money.

An act to incorporate the Raccoon Mining and Manufacturing Company.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Owensboro and Russellville railroad company,'" approved February 27th, 1867.

An act for the benefit of Messrs. Greenup & Alley, of Frankfort.

An act to amend chapter 15, title 10, of the Civil Code of Practice.

An act to amend and reduce into one the several acts relating to the town of Uniontown.

An act to require the Auditor to cause sheriffs to give good and sufficient bonds for the collection of the revenue.

An act to incorporate a turnpike road from Durham's School-house to Parksville, in Boyle county.

An act to incorporate the United Fellows, of the city of Louisville.

An act to authorize the establishment of a ferry across the Kentucky river above Cedar Dam, in Owen county.

An act to incorporate the Salvisa and McCown's Ferry turnpike road company, in the county of Mercer.

An act to re-enact and amend an act, entitled "An act to incorporate the Hancock Pond Draining Company, and amend the charter of the Jefferson Pond Draining Company."

An act authorizing the Governor to appoint an engineer to survey and examine certain portions of Cumberland river, and make report.

An act to amend the charter of the Crooksville and Muddy Creek turnpike road company, in Madison county.

An act to amend the charter of the Louisville and Salt River turnpike road company.

An act to amend an act for the benefit of the Jeptha Christian Church, in Shelby county.

An act to amend the law authorizing the recording of deeds and mortgages in the county court clerk's office at the city of Newport.

An act to incorporate the Forsythe Mill turnpike road company.

An act for the benefit of A. C. Cox, late sheriff of Green county.

An act to provide for the increase of the county levy of Webster county.

An act for the benefit of the counties of Magoffin and Greenup.

An act to incorporate Lost Fork and Otter Creek turnpike road company, in Madison county.

An act to incorporate the Beaver Dam Baptist Church, in Ohio county.

An act for the benefit of D. R. Macinny, of Estill county.

An act incorporating the Farmer's Store and Lane's Mill turnpike road company.

An act to abolish the criminal court in Robertson county.

An act to charter the Bowling Green, Hartford, and Ohio River railroad company.

An act to incorporate the Louisville Redistilling Company.

An act to revive an act, entitled "An act to charter the Louisville Building Association, of Louisville," approved January 29th, 1867.

An act to incorporate the Cumberland Lumber and Manufacturing Company.

An act to incorporate the Boyle turnpike road company.

An act to incorporate the Murray and Aurora Gravel road company.

An act to amend the charter of West Covington.

An act to amend an act, entitled "An act to amend section 4, article 2, chapter 83, Revised Statutes."

An act to amend the charter of the city of Covington.

An act to incorporate the London, Grayson, and Ohio railroad company.

Resolutions in regard to the proposed amendment of the Constitution of the United States.

Resolution directing Public Printer to print synopsis of General Acts.

Resolution in regard to the printing, binding, and distribution of the Acts, Journals, and Documents.

Resolution to appoint visitors to foreign prisons.

Resolutions on the death of Hon. James Guthrie.

Resolution in favor of Gip. Morton.

A message was received from the Governor, by Mr. Samuels, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to incorporate the Kenton Furnace Railroad and Manufacturing Company.

An act to amend an act to incorporate the Mt. Carmel and Fox Spring turnpike road company.

An act to protect the owners of wood-lands.

An act to incorporate the Deposit Bank of Lebanon.

An act to amend the charter of the Clark County Agricultural Society.

An act to incorporate the Louisville Medical Monthly.

An act to incorporate the Ballardsville and Christiansburg turnpike road company.

An act to incorporate the Kentucky Cement Company.

An act to incorporate the German Odd Fellows' Mutual Life Assurance Association.

An act in relation to the town of Lockport.

An act for the benefit of the county court of Spencer and Bullitt counties.

An act to incorporate the Louisville Salt Well Company.

An act to establish an additional justices' district in Adair county.

An act to authorize the county court of Boone to incorporate the town of Belleview.

An act for the benefit of the Southern Mutual Life Insurance Company.

An act to amend an act, entitled "An act to incorporate the Paducah and McCracken County Agricultural and Mechanical Society," approved February 2d, 1866.

An act to amend the charter of the town of Brooksville, in Bracken county.

An act to incorporate the Augusta and Berlin turnpike road company, in Bracken county.

An act for the benefit of Breathitt county.

An act to change the location of the Wilderness State road, in Laurel county.

An act for the benefit of the trustees of the town of Greenupsburg.

An act to incorporate the Louisville Democrat Company.

An act to incorporate the German Working Men's Benevolent Society, of Dayton.

An act to change the place of voting in the Sartin precinct, in Barren county, to Cold Spring.

An act to change the time of holding the circuit courts in Todd and Butler counties.

An act more effectually to punish the crime of vagrancy in the city of Lexington.

An act to extend the provisions of an act, entitled "An act to regulate partnership fences in Clark county," to the county of Montgomery.

An act to incorporate Baxter Dispensary, of Louisville.

An act to prohibit the sale of spirituous liquors in the town of Bremen, in Muhlenburg county.

An act to amend an act, entitled "An act to organize Urania school district, in Barren county," approved 20th February, 1869.

An act for the benefit of Daviess county.

An act for the benefit of R. B. Gardner.

An act to amend an act, entitled "An act for the benefit of school district No. 5, in Breathitt county," approved March 6th, 1867.

An act for the benefit of the Hillsboro and Mouth of Fox turnpike company.

An act furnishing Magoffin county certain books.

An act for the benefit of McLean county.

An act to empower the court of claims of Grant county to increase the county levy.

An act in relation to stationery furnished members of the General Assembly.

An act to authorize the Commissioners of the Sinking Fund to lease the turnpike road leading from Bowling Green to the Simpson county line.

An act authorizing the trustees of the town of Bowling Green to grant coffee-house license.

An act to repeal the charters of the Hope and Globe Insurance Companies.

An act to amend the charter of the Nelson County Agricultural Association.

An act concerning the Adjutant General.

An act to incorporate the Gaylord Iron and Manufacturing Company.

An act to amend the charter of the Brooksville and Rock Spring turnpike road company.

An act to incorporate the Paducah Water-works Company.

An act concerning the jurisdiction of the Barren county court.

An act to incorporate the Frankfort Flouring Mill Company.

An act concerning public books and providing for their supply to destitute counties.

An act to pay military claims audited by the Quarter-Master General.

An act to authorize the Auditor of Public Accounts to compromise certain demands in favor of the Commonwealth.

An act concerning the police court of Glasgow, in Barren county.

An act to amend an act, entitled "An act to amend the charter of the town of Eminence, in Henry county," approved February 1st, 1868.

An act for the benefit of C. M. Humston, of Henry county.

An act to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county.

An act to amend the charter of the town of Cynthiana.

An act to amend the law in relation to importing Texas cattle into this Commonwealth.

An act for the benefit of C. A. Wandelohr, of Pendleton county.

An act to punish certain misdemeanors in Kenton county.

An act to amend an act, entitled "An act to incorporate the Evansville, Henderson, and Nashville railroad company," approved 27th January, 1867.

An act concerning the Barren County railroad.

An act for the benefit of school district No. 5, in Nelson county.

An act to restore the old boundary of the district of Highlands, in Campbell county.

An act to incorporate the Deposit Bank of Murray.

An act in relation to the Constitutionalist newspaper.

An act to amend an act to incorporate the Shawneetown and Madisonville railroad company.

Resolution in favor of Isaac Wingate, jr.

Resolution for the benefit of D. D. Sublett.

Resolution in relation to the Hon. Joshua F. Bullitt.

Resolution for the benefit of H. Pope Hawkins.

A message was received from the House of Representatives, announcing that they had closed their legislative business, and had appointed a committee to wait upon the Governor, to know whether he had any further communication to make to them.

Messrs. Carlisle and Vories were appointed a committee on the part of the Senate, to communicate to the House of Representatives that the Senate had concluded its legislative business, and to act in conjunction with the committee on the part of the House of Representatives appointed to wait upon the Governor, for the purpose of ascertaining whether he had any further communication to make to the General Assembly.

The committee appointed to wait upon the Governor reported that the Governor had requested them to inform the General Assembly that he had no further communication to make to either branch thereof.

On motion of Mr. Carlisle, Mr. Speaker Johnson announced that the Senate now stood adjourned *sine die*.

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